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NORMA GONSALVES,
Presiding Officer

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, June 29, 2015
1:14 P.M

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A P P E A R A N C E S :

NORMA GONSALVES,
Chairwoman

RICHARD NICOLELLO,
Vice Chairman

DENNIS DUNNE

HOWARD KOPEL

KEVAN ABRAHAMS,
Ranking

JUDY JACOBS

CARRIE SOLAGES

WILLIAM J. MULLER, III
Clerk of the Legislature

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1 Rules Committee/6-29-15

2 CHAIRWOMAN GONSALVES: Will the
3 legislators please join me on the dais?
4 Legislator Dunne, please lead us in the
5 Pledge.

6 (The Pledge of Allegiance was
7 recited.)

8 CHAIRWOMAN GONSALVES: As par for
9 the course, we do contracts then we recess
10 for the other committees because those items
11 passed through Rules. So I'm going to ask
12 all the Rules members to be here now and I
13 believe, Mr. Muller, would you call the
14 Rules Committee, please?

15 CLERK MULLER: Legislator
16 Solages?

17 LEGISLATOR SOLAGES: Here.

18 CLERK MULLER: Legislator Jacobs?

19 LEGISLATOR JACOBS: Here.

20 CLERK MULLER: Ranking Member
21 Abrahams, he's here. Legislator Kopel?

22 LEGISLATOR KOPEL: Here.

23 CLERK MULLER: Legislator Dunne?

24 LEGISLATOR DUNNE: Here.

25 CLERK MULLER: Vice Chairman

1 Rules Committee/6-29-15

2 Nicolello?

3 LEGISLATOR NICOLELLO: Here.

4 CLERK MULLER: Chairwoman

5 Gonsalves?

6 CHAIRWOMAN GONSALVES: Present.

7 CLERK MULLER: We have a quorum.

8 LEGISLATOR ABRAHAMS: I'm here.

9 Sorry.

10 CHAIRWOMAN GONSALVES: The first
11 contract is A-17, a resolution authorizing
12 the director of the Nassau County Office of
13 Purchasing to award and execute two
14 contracts between the County of Nassau
15 acting on behalf of the County Department of
16 Public Works and Long Island Enterprise.

17 Motion, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR KOPEL: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Dunne, seconded by Legislator
22 Kopel. Anyone here to speak on this item?

23 MR. SCHNEIDER: Good afternoon,
24 Brian Schneider from Public Works.

25 This item actually has a twofold

1 Rules Committee/6-29-15
2 purpose, to immediately authorize an award,
3 a purchase order, epoxy painting of pools
4 and also to establish a blanket purchase
5 order for pool painting for the department
6 going forward.

7 CHAIRWOMAN GONSALVES: Any
8 questions of Mr. Schneider?

9 CHAIRWOMAN GONSALVES: Minority
10 Leader Abrahams.

11 LEGISLATOR ABRAHAMS: How are
12 you, Brian?

13 MR. SCHNEIDER: Good afternoon.

14 LEGISLATOR ABRAHAMS: We had
15 forwarded a letter to the commissioner's
16 attention regarding disclosure questions
17 that we wanted responses to. Are you
18 familiar with that letter?

19 MR. SCHNEIDER: I have seen the
20 letter, yes. I think that was forwarded to
21 the county attorney for their official
22 response.

23 LEGISLATOR ABRAHAMS: Is it your
24 impression that the administration or the
25 department is not going to respond to those

1 Rules Committee/6-29-15
2 questions on each item for each particular
3 thing?

4 MR. SCHNEIDER: I can only answer
5 for the fact that the letter was passed on
6 to the County Attorney's Office.

7 LEGISLATOR ABRAHAMS: As this
8 contract looks, from our review of it, it
9 appears that this was, that Long Island
10 Enterprise was the lowest bidder.

11 MR. SCHNEIDER: That's correct.

12 LEGISLATOR ABRAHAMS: In the
13 future as it pertains to -- and this is not
14 against you, Brian --

15 MR. SCHNEIDER: Understood.

16 LEGISLATOR ABRAHAMS: But in the
17 future, as it pertains to DPW contracts, we
18 would appreciate responses to our questions.
19 If not, we will choose to vote in the
20 negative unless the contract is some type of
21 amendment or extension of a previous
22 contract that we approved in the past.

23 But, going forward, we assume
24 that that disclosure will be there for DPW
25 contracts. If it's not, we will ask the

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2 questions. If we get satisfactory answers,
3 then we will consider voting yes, and if we
4 don't then we will consider voting no. But,
5 in this climate, I would like to think that
6 we would want to have more transparency and
7 more disclosures than less, but thank you.

8 MR. SCHNEIDER: Understood.

9 CHAIRWOMAN GONSALVES: Any other
10 comments from the legislators?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of Contract A-17 signify by saying
16 aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The contract passes unanimously.

21 Next contract is A-25, a
22 resolution authorizing the director of
23 Nassau County Office of Purchasing to award
24 and execute a contract between the County of
25 Nassau acting on behalf of Nassau County

1 Rules Committee/6-29-15

2 Office of Emergency Management and John's
3 Body Shop and Argo Sales.

4 Motion, please.

5 LEGISLATOR KOPEL: So moved.

6 LEGISLATOR DUNNE: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Kopel, seconded by Legislator
9 Dunne. Anyone here to speak on this
10 contract?

11 MS. PETRUCCI: Good afternoon.
12 We are awaiting Eddie Korona to arrive any
13 moment to speak on this item.

14 CHAIRWOMAN GONSALVES: Guess
15 what? I have to move to table. A motion to
16 table.

17 LEGISLATOR NICOLELLO: So moved.

18 LEGISLATOR KOPEL: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Nicolello, seconded by Legislator
21 Kopel. All those in favor of tabling
22 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

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2 The item is tabled until Mr.
3 Korona appears.

4 The next item is Contract A-30, a
5 resolution authorizing the director of
6 Nassau County Office of Purchasing to award
7 and execute a contract between the County of
8 Nassau acting on behalf of the Nassau County
9 Medical Examiner's Office and Seaman's
10 Medical Solutions USA.

11 Motion, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR NICOLELLO: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Nicolello. We have?

17 MS. TEMPESTA: Kim Tempesta,
18 Medical Examiner's Office.

19 CHAIRWOMAN GONSALVES: Welcome,
20 Kim.

21 MS. TEMPESTA: Thank you. Good
22 afternoon. This item is for a digital
23 x-ray. It's to replace our 17 year old
24 x-ray unit which is technically outdated and
25 provides us with very limited function and

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2 performance. The bid opened June 2nd and it
3 was under a sealed bid and I'll have you all
4 know this item is 100 percent grant funded.

5 CHAIRWOMAN GONSALVES: Any
6 questions of Kim? Legislator Jacobs.

7 LEGISLATOR JACOBS: I just want
8 to ask you one question. I notice there was
9 only one vendor that responded. Can I ask
10 you why there would only be one? Why would
11 it be so limited to only one?

12 MS. TEMPESTA: I don't know. We
13 had solicited many companies, GE, Toshiba,
14 and Seamans. Seamans, after presentation,
15 was our preferred vendor. It went on the
16 bid website. It was open to everyone.
17 There was my understanding, one additional
18 response, but then they backed out.

19 LEGISLATOR JACOBS: You don't
20 know why they backed out?

21 MS. TEMPESTA: I have no idea.

22 LEGISLATOR JACOBS: You know what
23 my concern is, do we ever, in purchasing, if
24 there is only one vendor, do we ever re-bid?

25 MS. TEMPESTA: I don't know. I

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2 can't speak to that. I wish there was
3 someone here from purchasing.

4 LEGISLATOR JACOBS: I understand
5 that. I know it's important. It's a
6 concern when there is only one. You wonder
7 how can that be.

8 MS. TEMPESTA: I don't know. It
9 was out there on the bid website. That's
10 for sure.

11 LEGISLATOR JACOBS: Thank you.

12 CHAIRWOMAN GONSALVES: Any public
13 comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of Contract A-30 signify by saying
17 aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The contract passes unanimously.
22 Thank you, Kim.

23 The next item is A-31, a
24 resolution authorizing the director of
25 Nassau County Office of Purchasing to award

1 Rules Committee/6-29-15

2 and execute a contract between the County of
3 Nassau acting on behalf of the Nassau County
4 Police Department and Eastern Communications
5 Limited.

6 Motion, please.

7 LEGISLATOR DUNNE: So moved.

8 LEGISLATOR KOPEL: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Dunne, seconded by Legislator
11 Kopel. And we have the sergeant here.

12 SERGEANT STEPHANOFF: Good
13 afternoon, Sergeant Greg Stephanoff from the
14 Police Department. This item is to execute
15 a blanket purchase order between Nassau
16 County Police Department and Eastern
17 Communications. Eastern Communications is
18 an 800 megahertz radio system. This system
19 supports every other agency except not the
20 police department, every other agency,
21 including the fire marshal, fire com, OEM,
22 sheriffs, DPW, and this is for maintenance
23 and repair of this system.

24 CHAIRWOMAN GONSALVES: Any
25 questions of the sergeant? Legislator

1 Rules Committee/6-29-15

2 Jacobs.

3 LEGISLATOR JACOBS: Hi. How are
4 you?

5 SERGEANT STEPHANOFF: Good. How
6 are you?

7 LEGISLATOR JACOBS: Again, I see
8 only one bid was received. This is their
9 equipment and I know purchasing put out to
10 bid to see if anyone else would work on it.

11 I know our system is Motorola and
12 I was told by our communications bureau that
13 Motorola can't work on this equipment. It
14 wasn't installed by them. It's not their
15 technology.

16 LEGISLATOR JACOBS: Is this brand
17 new for us now?

18 SERGEANT STEPHANOFF: No. We
19 have had this for a while. This is the
20 radio system that's been used by every one
21 except the police department for quite some
22 time now. Actually we are going to absorb
23 it into our system. We are still rolling
24 out our system but eventually this is going
25 to be absorbed into our system.

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2 LEGISLATOR JACOBS: Are you
3 comfortable with only getting one bid? I
4 know it's a weird question. It's very
5 subjective. But is that is a concern or has
6 it been answered in your mind?

7 SERGEANT STEPHANOFF: They have
8 been maintaining this system since we had
9 it. They installed it and maintained it. I
10 called down to our communications bureau and
11 they showed me they are competent to
12 maintain this.

13 LEGISLATOR JACOBS: Thank you.

14 LEGISLATOR ABRAHAMS: Sergeant,
15 do you feel that we are getting the best and
16 fair price for this particular --

17 SERGEANT STEPHANOFF: I think
18 especially with purchasing putting this out
19 to bid, I don't think there was anyone else
20 that who could work on this equipment, from
21 no other responses. We also inquired with
22 Motorola who can't work on it as well.

23 LEGISLATOR ABRAHAMS: How would
24 the department decipher if say for example
25 this cost \$700,000, how would you decipher

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2 that that's a good price versus what we're
3 paying today, \$300,000?

4 SERGEANT STEPHANOFF: I think
5 it's historically what we've paid to
6 maintain the system throughout the year.
7 From when we installed it it went out to bid
8 at that time, and they won the bid to
9 install it, and they have actually been
10 maintaining it ever since.

11 LEGISLATOR ABRAHAMS: We haven't
12 seen anything dramatically go up?

13 SERGEANT STEPHANOFF: They told
14 me there's been no major increase.

15 LEGISLATOR ABRAHAMS: Thank you,
16 sergeant. Well done.

17 CHAIRWOMAN GONSALVES: Is there
18 any public comment?

19 (No verbal response.)

20 There being none, all those in
21 favor of A-31 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item passes unanimously.

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2 I'm going to ask for a motion to
3 untable because I believe I saw Mr. Korona.
4 Motion to untable A-25.

5 LEGISLATOR KOPEL: So moved.

6 LEGISLATOR NICOLELLO: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Kopel, seconded by Legislator
9 Nicolello. All those in favor of untabling
10 A-25 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 That's the resolution pertaining
15 to the contract on behalf of OEM and John's
16 Body Shop, correct?

17 MR. KORONA: Ed Korona, Nassau
18 County OEM. Yes, that's John's Body Shop
19 and Argo Sales. I'm here on this contract
20 here.

21 This went out to bid. It's for
22 four amphibious vehicles. 100 percent grant
23 funded. These will be used for deployment
24 during emergency services for the police and
25 fire service of Nassau County.

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2 CHAIRWOMAN GONSALVES: Are there
3 any questions for Mr. Korona? Legislator
4 Abrahams.

5 LEGISLATOR ABRAHAMS: The service
6 that John's Body Shop And Argo sales is
7 going to provide is maintenance?

8 MR. KORONA: No, they are
9 actually going to provide the vehicles
10 themselves. They were one of the bidders on
11 here. Apparently Argo Sales actually
12 probably have 100 vendors out there across
13 the nation. He just happens to be one of
14 the vendors that won the bid.

15 LEGISLATOR ABRAHAMS: Where are
16 they based?

17 MR. KORONA: The John's body is
18 based upstate New York. I believe in
19 Syracuse. We had one vendor from
20 Connecticut and another one from -- they
21 were from way out on the island somewhere.

22 LEGISLATOR ABRAHAMS: You said
23 before, I want to make sure to reaffirm,
24 this contract was the lowest bidder?

25 MR. KORONA: Yes. It went to the

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2 lowest bidder, correct.

3 LEGISLATOR ABRAHAMS: Thank you,
4 Ed.

5 CHAIRWOMAN GONSALVES: Any public
6 comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of Contract A-25 signify by saying
10 aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The contract passes unanimously.
15 Thank you, Mr. Korona.

16 Moving on to the next contract,
17 E-56, a resolution authorizing the County
18 Executive to execute a personal services
19 agreement between the County of Nassau
20 acting on behalf of the Department of
21 Information Technology and Bowne Management
22 Systems, Inc.

23 Motion, please.

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR NICOLELLO: Second.

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2 CHAIRWOMAN GONSALVES: Moved by
3 Legislator Dunne, seconded by Legislator
4 Nicolello. And we have?

5 MR. EISENSTEIN: Good afternoon.
6 Ed Eisenstein, IT Commissioner. This is the
7 Bowne contract management proposal where
8 they do the maintenance of the GIS contract.

9 CHAIRWOMAN GONSALVES: Any
10 questions? Legislator Minority Leader
11 Abrahams.

12 LEGISLATOR ABRAHAMS: How are
13 you, Mr. Eisenstein?

14 MR. EISENSTEIN: Very good, thank
15 you.

16 LEGISLATOR ABRAHAMS: The term of
17 this contract is from March 1, 2015,
18 correct?

19 MR. EISENSTEIN: I believe so,
20 yes.

21 LEGISLATOR ABRAHAMS: Through
22 March 1, 2017?

23 MR. EISENSTEIN: Yes.

24 LEGISLATOR ABRAHAMS: This is a
25 new contract that's before us, it's not an

1 Rules Committee/6-29-15

2 amendment to something that was done in the
3 past?

4 MR. EISENSTEIN: Yes, and if you
5 recall, there are three other vendors that
6 are participating in this contract.

7 LEGISLATOR ABRAHAMS: Three other
8 vendors. Provide those names to those
9 vendors.

10 MR. EISENSTEIN: I don't have
11 them with me but I can email that to you
12 later. It was in the last leg meeting.

13 LEGISLATOR ABRAHAMS: That's
14 fair. This contract is for \$2.375 million
15 and they are encumbering \$300,000 at this
16 time?

17 MR. EISENSTEIN: Yes, sir.

18 LEGISLATOR ABRAHAMS: And was
19 this contract, this particular service, were
20 they the lowest responder?

21 MR. EISENSTEIN: No. Again,
22 there were four winners.

23 LEGISLATOR ABRAHAMS: How do you
24 decipher who gets what piece?

25 MR. EISENSTEIN: We plan to put

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2 out statements of work throughout the life
3 of the requirement with specific
4 requirements of what we want so to give all
5 of them a chance to get the best deal
6 possible.

7 LEGISLATOR ABRAHAMS: And at this
8 time for what they are providing this is the
9 best deal possible?

10 MR. EISENSTEIN: Well, they are
11 the existing vendor who has been maintaining
12 the system for 15 years. They will be one
13 the four who will be participating in the
14 statements of work, if you will.

15 LEGISLATOR ABRAHAMS: I guess
16 what I'm driving at, is this the best deal
17 for the county?

18 MR. EISENSTEIN: I'm not sure,
19 but I hope to get better deals and as I put
20 out statements of work and let the other
21 vendors take a crack at it over the next few
22 years.

23 LEGISLATOR ABRAHAMS: How would
24 you not be sure this is the best deal for
25 the county?

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2 MR. EISENSTEIN: Well, currently
3 this is the best deal for the county since
4 they are the existing maintenance holder who
5 have been working with us for 15 years. And
6 I plan to enhance that further with the
7 method I plan to use.

8 LEGISLATOR ABRAHAMS: To the best
9 of your knowledge today, they are the best
10 vendor to respond for the best bang for the
11 buck for the county?

12 MR. EISENSTEIN: Yes, legislator.

13 CHAIRWOMAN GONSALVES: Just for
14 the record, Mr. Eisenstein, we did vote on
15 the other three principals at the June 1st
16 Rules Committee, correct?

17 MR. EISENSTEIN: Yes.

18 CHAIRWOMAN GONSALVES: Thank you
19 very much. Any other questions from the
20 legislators?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 There being none, all those in
25 favor of E-56 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (Nay.)

5 The item passes four to three.

6 The next item is E-82, a personal
7 services agreement between the County of
8 Nassau acting on behalf of the Nassau County
9 Department of Public Works and Kashin
10 Associates.

11 Motion, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR KOPEL: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Kopel. Who do we have here to speak on
17 E-82, anyone?

18 MR. LABAR: Good afternoon.

19 Robert Labar, architect from DPW.

20 CHAIRWOMAN GONSALVES: What can
21 you tell us about this personal service
22 agreement?

23 MR. LABAR: This is for on call
24 design services to assist DPW on upcoming
25 projects, county wide projects to be

1 Rules Committee/6-29-15

2 determined when the time comes.

3 CHAIRWOMAN GONSALVES: Any
4 questions? Legislator Abrahams.

5 LEGISLATOR ABRAHAMS: I didn't
6 catch your name.

7 MR. LABAR: It's Robert Labar.

8 LEGISLATOR ABRAHAMS: Nice to
9 meet you. I don't know if you were here for
10 my opening statement. But this is not a
11 direct comment towards what you just said.
12 I'm sure you are very qualified to be here
13 with us today.

14 However, we voted against these
15 types of contracts at our previous meeting
16 June 1 because it doesn't have the necessary
17 disclosure that we feel is necessary to be
18 able to give the taxpayers in this county a
19 comfort level in this contract going
20 forward. So I want to make sure you know
21 that our vote no is not a reflection of what
22 you said. I thought you were actually
23 pretty good. Our vote no is more of a
24 reflection of the process and transparency
25 that's been lacking in this county.

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2 MR. LABAR: Thank you.

3 CHAIRWOMAN GONSALVES: Just for
4 the record, I believe, according to my notes
5 that the disclosure form was upgraded and
6 included in the backup.

7 MR. LABAR: That is correct. We
8 also have a couple of other contracts that
9 will be voted on. Each one of these firms
10 did submit the paperwork that was requested.

11 CHAIRWOMAN GONSALVES: Yes,
12 Mr. Abrahams.

13 LEGISLATOR ABRAHAMS: Yes. Just
14 to be clear, the disclosure form was in the
15 backup but the disclosure form does not
16 answer in regards to who drafted the RFP; am
17 I correct? Let me give you a series of
18 questions that I don't believe the
19 disclosure form addresses. It doesn't
20 address who drafted the RFP, it doesn't
21 address any communications, emails, phone
22 calls with any department DPW officials, and
23 the particular vendor that in this case
24 would be Kashin. It doesn't address any of
25 these things. Am I mistaken or is that

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2 correct?

3 MR. LABAR: I will make the
4 following statement that DPW did draft the
5 RFP. It was an open RFP. We received
6 responses from 16 firms.

7 LEGISLATOR ABRAHAMS: Who
8 specifically drafted the RFP?

9 MR. LABAR: I did.

10 LEGISLATOR ABRAHAMS: You did.
11 Did you have any outside communications with
12 Kashin before that process or during that
13 process?

14 MR. LABAR: No.

15 LEGISLATOR ABRAHAMS: That gives
16 me a little more of a comfort level. Are
17 you the drafter of all the RFPs of all these
18 on calls?

19 MR. LABAR: Yes, I am.

20 LEGISLATOR ABRAHAMS: That's good
21 to hear. And you haven't had any contact --
22 we can ask each item at that time, but just
23 so we go through it, have you had any
24 contact with any of the vendors prior to or
25 during that process of drafting the RFP?

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2 MR. LABAR: No.

3 LEGISLATOR ABRAHAMS: I don't
4 want to jump to far ahead, Presiding Officer
5 Gonsalves, but that would be the case with
6 Liro, and we can go through them when we get
7 to them.

8 One more question. Has any
9 member of the administration contacted you
10 in regard to those contracts?

11 MR. LABAR: To the best of my
12 knowledge, no one has contacted anyone in
13 DPW.

14 LEGISLATOR ABRAHAMS: Okay. I'm
15 glad you were here today.

16 MR. LABAR: Thank you.

17 LEGISLATOR ABRAHAMS: More
18 importantly too, it would be great if we can
19 have him here when he drafts the proposals
20 because that's centered to our questions on
21 transparency.

22 From that standpoint, that's all
23 we are asking for. I'm glad you were here
24 today because you are the source of the
25 person that I would love to talk in this

1 Rules Committee/6-29-15

2 case.

3 MR. LABAR: Thank you.

4 CHAIRWOMAN GONSALVES: Any public
5 comment on this item?

6 (No verbal response.)

7 There being none, all those in
8 favor of E-82 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The item passes unanimously.

13 Thank you, Robert.

14 The next one is E-83, a personal
15 services agreement between the County of
16 Nassau acting on behalf of the Nassau County
17 Department of Public Works and Liro
18 Architects and Planners.

19 Motion, please.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Kopel. I said you are going to be up there
25 for a while. Tell us about this one.

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2 MR. LABAR: Again, this was an
3 open RFP. One of the firms that responded
4 and was highly ranked and was able to submit
5 their paperwork in a timely fashion to be
6 here before you this afternoon.

7 Again, we have had no
8 correspondence or conversations with anyone
9 in the firm. It is for on-call design
10 services as necessary county wide.

11 CHAIRWOMAN GONSALVES: Okay. No
12 problems?

13 LEGISLATOR ABRAHAMS: No
14 problems.

15 CHAIRWOMAN GONSALVES: Any public
16 comments?

17 (No verbal response.)

18 There being none, all those in
19 favor of E-83 signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The item passes unanimously.

24 Next is E-86, a personal services
25 agreement between the County of Nassau

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2 acting on behalf of the Department of Public
3 Works and JE Architects Engineers, P.C.

4 Motion, please.

5 LEGISLATOR KOPEL: So moved.

6 LEGISLATOR DUNNE: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Kopel, seconded by Legislator
9 Dunne. Would you like him to respond to
10 this one too?

11 LEGISLATOR ABRAHAMS: Yes.

12 MR. AMERIGO: I'm Joe Amerigo,
13 Nassau County Department of Public Works.

14 LEGISLATOR ABRAHAMS: Joe, if you
15 could just give us a quick synopsis of the
16 contract is for.

17 MR. AMERIGO: It is to amend the
18 contract for J.E. Engineering. It has to do
19 with the architect on the phase three
20 project has gone bankrupt.

21 LEGISLATOR ABRAHAMS: Who is the
22 architect?

23 MR. AMERIGO: Swanke Hayden. And
24 now J.E. Engineering has hired the principal
25 architect from that firm as well as other

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2 supporting sub-consultants to perform that
3 function.

4 LEGISLATOR ABRAHAMS: So this is
5 strictly for architectural purposes?

6 MR. AMERIGO: Architectural and
7 engineering.

8 LEGISLATOR ABRAHAMS: This
9 contract is basically an amendment to a
10 contract that was previously approved by
11 this legislative body?

12 MR. AMERIGO: Yes, absolutely.

13 LEGISLATOR ABRAHAMS: We are okay
14 with, my counsel, with the fact that we are
15 amending it, because Swanke has gone out of
16 the business, we are amending it to go with
17 the principals that were with Swanke?
18 Should we have RFP'd this project out to
19 different people?

20 MR. AMERIGO: Well, it's an
21 ongoing construction process. There is a
22 construction contract that's been awarded,
23 so it's important that this is done in a
24 timely manner.

25 LEGISLATOR ABRAHAMS: I guess

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2 what I'm driving at legally, are we liable
3 because we are not dealing with the same
4 architect that originated with this project
5 technically? I guess that's more of a
6 question --

7 MR. AMERIGO: That would be a
8 legal question.

9 LEGISLATOR ABRAHAMS: The last
10 question, Joe, in regards to, were you the
11 originator in terms of the RFP, did you
12 draft the RFP?

13 MR. AMERIGO: No, I did not.

14 LEGISLATOR ABRAHAMS: Who is it
15 in the department of DPW did?

16 MR. AMERIGO: I don't know. I
17 would have to go back through the paperwork.
18 This agreement has been in place for quite
19 some time. Amended and amended. I think
20 this is the fifth amendment.

21 LEGISLATOR ABRAHAMS: So let me
22 ask you, in between the fourth and the fifth
23 amendment, who had conversations with the
24 principals at Swanke -- what is this new
25 entity's name?

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2 MR. AMERIGO: It's not a new
3 entity. It's J.E. Engineering. They are
4 the program manager for Nassau County on the
5 Public Safety Center Project as well as
6 others.

7 LEGISLATOR ABRAHAMS: So,
8 basically, this entity, J.E. Architects,
9 basically between the fourth and fifth
10 amendment it changed from Swanke to them?

11 MR. AMERIGO: No.

12 LEGISLATOR ABRAHAMS: When did it
13 change from Swanke to J.E. Architects?

14 MR. AMERIGO: Swanke Hayden is an
15 architectural firm that did the design for
16 the Public Safety Center. J.E. Engineering
17 is the manager of the project. Swanke
18 Hayden produced the drawings that are signed
19 and sealed, now that the principal architect
20 who signed and sealed those drawings is now
21 working under J.E. Engineering.

22 LEGISLATOR ABRAHAMS: I
23 understand. I was under a different
24 impression. Thank you.

25 CHAIRWOMAN GONSALVES: Any public

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2 comment?

3 (No verbal response.)

4 There being none, all those in
5 favor of E-86 signify by saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The item passes unanimously.

10 The next item is E-95, a personal
11 services agreement between the County of
12 Nassau acting on behalf of the Nassau County
13 Department of Public Works and David Swift
14 Architects, L.L.C.

15 Motion, please.

16 LEGISLATOR KOPEL: So moved.

17 LEGISLATOR DUNNE: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Kopel, seconded by Legislator
20 Dunne. Robert, you're on again.

21 MR. LABAR: Good afternoon again.
22 Again, this is a response to an open RFP.
23 David Swift Architect, L.L.C. was one of the
24 firms selected for their positive response.
25 They are seeking to get their agreement put

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2 in place. They have provided all their
3 forms in a timely fashion.

4 CHAIRWOMAN GONSALVES: Minority
5 Leader Abrahams.

6 LEGISLATOR ABRAHAMS: Thank you.
7 Same line of questioning in regards to the
8 drafting of the RFP.

9 MR. LABAR: It was myself. I
10 drafted the RFP.

11 LEGISLATOR ABRAHAMS: Was there
12 any outside communication that you had with
13 David Swift Architect or any outside
14 communication from the administration to you
15 while doing that?

16 MR. LABAR: I had no contact with
17 David Swift and, to the best of my
18 knowledge, no one else in DPW had any
19 contact with David Swift.

20 LEGISLATOR ABRAHAMS: Was there
21 any contact from the administration to you
22 regarding the David Swift contract?

23 MR. LABAR: No.

24 LEGISLATOR ABRAHAMS: Thank you.

25 CHAIRWOMAN GONSALVES: Is there

1 Rules Committee/6-29-15

2 any public comment?

3 (No verbal response.)

4 There being none, all those in
5 favor of E-95 signify by saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The item passes unanimously.

10 Thank you, Robert.

11 The next item is E-98, a personal
12 services agreement between the County of
13 Nassau acting on behalf of the Nassau County
14 Department of Public Works and URS
15 Corporation New York.

16 Motion, please.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR NICOLELLO: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Dunne, seconded by Legislator
21 Nicolello.

22 MR. DAVENPORT: Joe Davenport
23 representing the Department of Public Works.

24 CHAIRWOMAN GONSALVES: It's nice
25 to see you.

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2 MR. DAVENPORT: Good to see you
3 too. Thank you. The item before you is a
4 personal services agreement for construction
5 management services for the Barnes Avenue
6 sanitary sewer overflow correction project.

7 This RFP was advertised in
8 Newsday and posted to the county website.
9 The department received ten responses for
10 the RFP. Members of the department
11 evaluated the responses received and it is
12 recommending URS Corporation for this
13 assignment.

14 CHAIRWOMAN GONSALVES: Any
15 questions of Mr. Davenport? Legislator
16 Minority Leader Abrahams.

17 LEGISLATOR ABRAHAMS: How are
18 you, Joe? Thank you, Madam Presiding
19 Officer. You had said there were ten
20 responses?

21 MR. DAVENPORT: Yes, there were.

22 LEGISLATOR ABRAHAMS: You said
23 that URS Corporation was the highest ranked
24 but not the lowest bidder?

25 MR. DAVENPORT: That's correct.

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2 LEGISLATOR ABRAHAMS: Where do
3 they rank in terms of their bid amount?

4 MR. DAVENPORT: There were two
5 firms that were significantly lower than
6 them. 20 percent and 36 percent. And then
7 there was a grouping, including URS, of
8 three firms that were within five percent of
9 each other. So they would have been
10 approximately fourth or fifth in the cost
11 listing.

12 LEGISLATOR ABRAHAMS: Who drafted
13 the bid spec criteria and who actually put
14 together the grading system?

15 MR. DAVENPORT: I put together
16 the RFP. The grading system is fairly
17 standard in Public Works. 100 point system.
18 And there are a number of categories. The
19 firm experience, the experience of the
20 personnel, the technical approach, the
21 schedule proposed, local preference, prior
22 experience with government, similar
23 services.

24 LEGISLATOR ABRAHAMS: Joe, you
25 said you drafted the RFP?

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2 MR. DAVENPORT: The RFP, I did.

3 LEGISLATOR ABRAHAMS: Did you
4 have any contact before this contract was --
5 I guess the RFP was drafted with URS?

6 MR. DAVENPORT: Not when it was
7 drafted and available, no.

8 LEGISLATOR ABRAHAMS: Any contact
9 from the administration to you regarding the
10 URS contract?

11 MR. DAVENPORT: No.

12 LEGISLATOR JACOBS: I have a
13 question.

14 CHAIRWOMAN GONSALVES: Legislator
15 Jacobs.

16 LEGISLATOR JACOBS: Joe, let me
17 just ask you a question. So they obviously
18 were not the lowest but obviously you ranked
19 them the highest?

20 MR. DAVENPORT: That's correct.

21 LEGISLATOR JACOBS: Obviously
22 didn't have what the lowest had? Give me an
23 idea of why you would not go with the
24 lowest.

25 MR. DAVENPORT: The two firms

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2 that were significantly lower, when we
3 reviewed their proposals, they were lacking
4 certain technical elements, especially the
5 inspection services and the oversight for
6 the process, mechanical, the electrical,
7 those technical elements. It made their
8 proposal much lower in cost because they
9 weren't providing that service.

10 Again, I mentioned there was a
11 grouping of three firms very close together,
12 all of them had very similar services or
13 cost proposals for the services, though URS
14 had some very specific prior experience,
15 large pump stations for New York City, as
16 well as bringing in a sub consultant who has
17 prior experience with us as well as working
18 with the Village of Hempstead. This is a
19 project we are doing in concert with the
20 Village of Hempstead.

21 LEGISLATOR JACOBS: I appreciate
22 an answer that's so thorough.

23 CHAIRWOMAN GONSALVES: Any other
24 comments? I believe Legislator Dunne.

25 LEGISLATOR DUNNE: My two

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2 questions were what other municipalities use
3 them and you said New York City, and the
4 other question was have we ever used them
5 before and you said the subcontractors we
6 have used; is that correct?

7 MR. DAVENPORT: We have used both
8 URS and their subconsultants as well.

9 LEGISLATOR DUNNE: We are happy
10 with them?

11 MR. DAVENPORT: They seem to do
12 very well with us.

13 LEGISLATOR DUNNE: Yes, thank
14 you.

15 CHAIRWOMAN GONSALVES: Any public
16 comment? Legislator Jacobs.

17 LEGISLATOR JACOBS: One last
18 thing. Do you know the time limit as to
19 when this is actually beginning?

20 MR. DAVENPORT: We are hoping to
21 have the contract for construction out to
22 bid beginning this Friday available usually
23 for a 30 day period thereabouts. 60 to 90
24 days to evaluate the bids and go through the
25 contracting process and come back here with

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2 the general construction contract,
3 comptroller's office, NIFA, and hopefully in
4 the fall we can start construction.

5 LEGISLATOR JACOBS: Thank you.

6 CHAIRWOMAN GONSALVES: Any public
7 comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of E-98 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The item passes unanimously.

15 The next item is E-104, a
16 personal services agreement between the
17 County of Nassau acting on behalf of Public
18 Works and VHB, Inc.

19 Motion, please.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Kopel. Yes, sir?

25 MR. LINDGREN: Good afternoon.

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2 Jeff Lindgren from Public Works.

3 This amendment is a time
4 extension for VHB in order to complete some
5 outstanding work that needs to be done in
6 order to go out for bid. It's a design
7 contract for replacement of traffic signals
8 along Greenwich, Nassau Road and Main
9 Street.

10 CHAIRWOMAN GONSALVES: Any
11 questions? Minority Leader Abrahams.

12 LEGISLATOR ABRAHAMS: Thank you,
13 Madam Presiding Officer. Just really quick.
14 In regards to, what amendment are we on in
15 regard to this particular one because this
16 contract goes back to 2007, originated?

17 MR. LINDGREN: They completed the
18 design. This project was originally laid
19 out in Nassau County specifications and,
20 since then, we have lost the federal funding
21 and the criteria for the federal fund has
22 changed. We have to do it in New York State
23 standard specification. So it kind of sat
24 dormant for a little bit, and that's why, as
25 old as it is, now we were able to identify

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2 federal funding again, and we just need them
3 to modify the plans to reflect New York
4 State item numbers.

5 LEGISLATOR ABRAHAMS: I
6 understand. Thank you.

7 CHAIRWOMAN GONSALVES: Legislator
8 Dunne.

9 LEGISLATOR DUNNE: It's a design
10 traffic signal expansion phase three. On
11 Hempstead Turnpike they changed the timing
12 of the traffic lights and there's traffic
13 jams all over the place down on the
14 turnpike. It's getting to be like Queens
15 because they changed the timing on the
16 lights. Do we do a study on that before we
17 do any changes?

18 MR. LINDGREN: The money that we
19 receive for these particular projects are
20 congestion mitigation and air quality.
21 That's where the money comes from, the
22 funding source on the federal end. So, the
23 ultimate goal here is to move traffic,
24 reduce congestion, and increase pedestrian
25 safety all at the same time. That's the

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2 driving force behind these upgrades that
3 we're doing to the traffic signals.

4 LEGISLATOR DUNNE: So the reason,
5 if you're stopping traffic, it's becoming
6 like Queens, then the air quality is going
7 to get worse. But if it's safety as opposed
8 to air quality, I guess we have to choose
9 which is most important and then we go with
10 that.

11 MR. LINDGREN: Right. And I will
12 point out, I'm sure you're aware, those are
13 state signals along Hempstead Turnpike, so
14 we don't have control over them. These here
15 hopefully won't look like Hempstead Turnpike
16 when we're done.

17 CHAIRWOMAN GONSALVES: Any other
18 comments from the legislators?

19 (No verbal response.)

20 There being none, all those in
21 favor of E-104 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item passes unanimously.

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2 Next item is E-105, a personal
3 service agreement between the County of
4 Nassau acting on behalf of the Department of
5 Public Works and VHB Engineering, Surveying
6 and Landscape Architecture, P.C.

7 Motion, please.

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR KOPEL: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Dunne, seconded by Legislator
12 Kopel. Talk to us.

13 MR. LINDGREN: This is the same
14 type of contract, the design contract with
15 the same vendor. The design is complete.
16 We are actually going out to bid with it
17 right now.

18 So, this is just a time extension
19 to allow us to pay the remaining balance of
20 the contract. They ran over a little bit as
21 a result of interaction between Nassau
22 County and New York State. There was some
23 delays. We are extending it so we can pay
24 them the balance.

25 CHAIRWOMAN GONSALVES: Any

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2 questions or comments from the legislators?

3 (No verbal response.)

4 There being none, all those in
5 favor of E-105 signify by saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The item passes unanimously.

10 The next item is E-108, a
11 personal services agreement between the
12 County of Nassau acting on behalf of the
13 Nassau County Department of Public Works and
14 Beatty, Harvey, Coco Architects, L.L.P.
15 Motion, please.

16 LEGISLATOR DUNNE: So moved.

17 LEGISLATOR NICOLELLO: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Dunne, seconded by Legislator
20 Nicolello. Go ahead, Brian.

21 MR. SCHNEIDER: Brian Schneider
22 from Public Works. This is amendment number
23 two to an existing professional services
24 agreement with the consulting firm of Beatty
25 Harvey Coco Architects. This is required so

1 Rules Committee/6-29-15
2 that we can complete all the necessary
3 design and construction administration
4 services at the Hempstead House Window and
5 Winter Replacement Project which is ongoing.
6 This new extension will terminate the
7 agreement at the end of December this year
8 2015 with no change to the county's
9 contribution.

10 CHAIRWOMAN GONSALVES: Any
11 questions or comments?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of Item E-108 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item passes unanimously.

21 The next item is E-109, a
22 personal service agreement between the
23 County of Nassau acting on behalf of the
24 Department of Human Services, Office of
25 Mental Health, Chemical Dependency, and

1 Rules Committee/6-29-15
2 Developmental Disability Services and
3 National Society for Hebrew Day Schools.

4 Motion, please.

5 LEGISLATOR KOPEL: So moved.

6 LEGISLATOR DUNNE: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Kopel, seconded by Legislator
9 Dunne.

10 MR. HALL: Good afternoon. Brian
11 Hall from Human Services. This is a
12 contract with the National Society of Hebrew
13 Day Schools. It's to provide outpatient
14 services to mainly adolescent population,
15 their families and significant others who
16 are experiencing difficulties in life due to
17 someone's substance abuse. It is 100
18 percent funded by New York State.

19 CHAIRWOMAN GONSALVES: Any
20 questions or comment?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 There being none, all those in
25 favor of Item E-109 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item passes unanimously.

6 The next item is E-112, a

7 personal services agreement, a personal

8 services agreement between the County of

9 Nassau acting on behalf of the County of

10 Social Services and Family Focus Adoption

11 Services.

12 Motion, please.

13 LEGISLATOR KOPEL: So moved.

14 LEGISLATOR DUNNE: Second.

15 CHAIRWOMAN GONSALVES: Moved by

16 Legislator Kopel, seconded by Legislator

17 Dunne.

18 MR. BRODERICK: Legislators, good

19 afternoon. Paul Broderick, Deputy

20 Commissioner, Department of Social Services.

21 The family focus for adoption services. The

22 item before you is a contract with Family

23 Focus for adoption services. Do you have

24 any questions?

25 CHAIRWOMAN GONSALVES: Any

1 Rules Committee/6-29-15

2 questions? Legislator Jacobs.

3 LEGISLATOR JACOBS: Hi Paul, how
4 are you? I wanted to ask you a question.
5 On December 14th, there was a letter from
6 CSEA in which they questioned whether their
7 civil servants couldn't satisfy the county's
8 needs under this contract. I was wondering
9 what the status is of that CSEA's objection
10 to the contract. For all I know it was
11 satisfied already or why is the county using
12 a contractor instead of CSEA employees?

13 MR. BRODERICK: Just to answer
14 your question, their objection was
15 withdrawn, the union withdrew their
16 objection.

17 LEGISLATOR JACOBS: Okay. Good
18 answer. I didn't know that. I know it's
19 always a good idea to know that CSEA is in
20 agreement with not being in charge of it.

21 MR. BRODERICK: We have a
22 definite set of protocols that we follow
23 prior to arriving at this point to resolve
24 any issues.

25 LEGISLATOR JACOBS: Thank you.

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2 CHAIRWOMAN GONSALVES: Any other
3 comments?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in
8 favor of E-112 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The item passes unanimously.

13 The next item is E-113, a
14 personal services agreement between the
15 County of Nassau acting on behalf of the
16 Nassau County Department of Parks,
17 Recreation and Museums and Innovation
18 Display and Design, Inc.

19 Motion, please.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Kopel. Who do we have here to speak on this
25 item? Ms. Krieb.

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2 MS. KRIEB: Good afternoon. This
3 is a contract with Innovative who is a
4 fabricator to do the discovery center at
5 Bethpage Village. It was procured by RFP
6 with nine responders and we have the design
7 contract with a different company and they
8 are just the fabricator. It is being funded
9 through Hotel Motel funding.

10 CHAIRWOMAN GONSALVES: Are there
11 any questions of Ms. Krieb?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 There being none, all those in
16 favor of E-113 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item passes unanimously.

21 The next item is Item E-114, a
22 personal services agreement on behalf of the
23 Nassau County Department of Human Services,
24 Office of Mental Health, Chemical
25 Dependency, and Developmental Disability

1 Rules Committee/6-29-15

2 Services, and Long Beach Aware.

3 Motion, please.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR NICOLELLO: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Dunne, seconded by Legislator
8 Nicolello. Who is here to speak on this
9 item?

10 MR. HALL: Brian Hall, Human
11 Services. This is a contract with Long
12 Beach Aware which is similar to the prior
13 one which it would be providing outpatient
14 services to adolescent population and their
15 families. It's also 100 percent funded by
16 New York State.

17 CHAIRWOMAN GONSALVES: Any
18 questions of Brian?

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 There being none, all those in
23 favor of Item E-114 signify by saying aye.

24 (Aye.)

25 Any opposed?

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2 (No verbal response.)

3 The item passes unanimously.

4 The next item is E-115, a
5 personal services agreement between the
6 County of Nassau acting on behalf of the
7 Nassau County Department of Health and James
8 McGinnis & Associates, Inc.

9 Motion, please.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR KOPEL: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Dunne, seconded by Legislator
14 Kopel. Who is here to speak on this item?

15 MS. LORRAINE: Good afternoon,
16 MaryEllen Lorraine, Department of Health.
17 Item E-115 is a contract with James McGinnis
18 and Associates in the amount of \$97,500.
19 The contractor will process claims for
20 Medicaid reimbursement services for the
21 preschool special education program.

22 CHAIRWOMAN GONSALVES: Any
23 questions? Legislator Jacobs.

24 LEGISLATOR JACOBS: Hi. First
25 let me say right out that I have a certain

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2 interest in this because of early childhood
3 and because of having a grandchild that has
4 Autism and because of so many different
5 reasons that I know some of these agencies
6 that are providing these desperately needed
7 services are really being crushed a little
8 bit right now.

9 So, some of my questions are
10 going to sound like what they really are,
11 real concern.

12 When you say to provide medical
13 billing services for the preschool special
14 education program, and number one is
15 checking eligibility of children --

16 MS. LORRAINE: It's Medicaid
17 billing.

18 LEGISLATOR JACOBS: When they
19 check the eligibility of children, they're
20 checking the monetary eligibility for
21 Medicaid?

22 MS. LORRAINE: They are
23 determining whether the children are
24 eligible for Medicaid and their services.

25 LEGISLATOR JACOBS: Let's just

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2 say that someone is just on the cusp, and
3 they don't meet quite the dotted line
4 eligibility, what happens to these children,
5 who picks them up?

6 MS. LORRAINE: It's an
7 entitlement program so the county and then
8 through state reimbursement will pick them
9 up. No child is denied services that they
10 are entitled to.

11 LEGISLATOR JACOBS: What is the
12 purpose of then our hiring James McGinnis &
13 Associates? I mean, it might be a very good
14 company, but what is the purpose if every
15 child is going to be picked up anyway? Is
16 it specifically for Medicaid?

17 MS. LORRAINE: Specifically for
18 Medicaid. The rules of Medicaid are very
19 complicated. It's audited every year. This
20 vendor is going to work with us to they are
21 actually going to work with us, they're
22 actually going to use a software package
23 that we use in our fiscal unit now. We are
24 going to have the data available which we
25 don't have now, and explore whether we can

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2 actually do the Medicaid billing ourselves
3 in the future.

4 LEGISLATOR JACOBS: Is the idea
5 for us, the fact that it might save us money
6 going forward?

7 MS. LORRAINE: I mean --

8 LEGISLATOR JACOBS: I understand
9 we have to meet their requirements, but what
10 is our goal here, to save ourselves money?

11 MS. LORRAINE: If someone is
12 eligible, a child is eligible for Medicaid,
13 it's in the best interest of all to
14 determine that and to get reimbursement.
15 The state and the federal government all
16 have a piece in the Medicaid reimbursement.

17 LEGISLATOR JACOBS: You know of
18 course I agree with that. I guess my main
19 question here is I need that reassurance. I
20 need you to say it one more time. That the
21 kids are going to be --

22 MS. LORRAINE: Nassau County will
23 not deny any child who is eligible for
24 services. These children will receive
25 services that they are entitled to.

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2 LEGISLATOR JACOBS: I wanted to
3 say one thing to you. I would love you to
4 bring it back. I know that the Health
5 Department feels this way. I appreciate
6 that. That's very reassuring.

7 I also know that parents have to
8 be real advocates for these children. And
9 some don't have necessarily, because of
10 language barriers, which is another question
11 we have been dealing with, or whatever, to
12 be those kinds of advocates.

13 MS. LORRAINE: I want to add that
14 this is the preschool program, so the
15 eligibility is determined by the school
16 district and not by the county. This is for
17 the preschool program.

18 LEGISLATOR JACOBS: Sometimes
19 that's a problem in and of itself. Let me
20 ask you this, preschool, in order for them
21 to be judged by the regular school district,
22 the parents still has to be advocates that
23 gets them to the school district for
24 observation and for admittance into the ABA
25 or one of the programs?

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2 MS. LORRAINE: Yes. And also
3 many of these children were in the Early
4 Intervention Program, so we have a staff of
5 probably 40 coordinators who also assist in
6 that transition and spend a lot of time.
7 Most of them know the family from when the
8 children were very young, and, so, for the
9 majority, that is the case.

10 LEGISLATOR JACOBS: Keep up
11 watching them. We can't have any holes in
12 the safety net for sure.

13 MS. LORRAINE: Absolutely.

14 LEGISLATOR SOLAGES: Presiding
15 Officer.

16 CHAIRWOMAN GONSALVES: Legislator
17 Solages.

18 LEGISLATOR SOLAGES: Good
19 afternoon. What is the goal of this
20 contract?

21 MS. LORRAINE: This contract is
22 to identify Medicaid eligibility. There is
23 a lot that goes into that, a lot of
24 paperwork; gathering information, gathering
25 services that are provided and determining

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2 whether they are eligible for Medicaid.

3 LEGISLATOR SOLAGES: Has the
4 vendor here, McGinnis, have they made any
5 representation that they will save the
6 county money?

7 MS. LORRAINE: I'm not aware of
8 that.

9 LEGISLATOR SOLAGES: If you are
10 not aware of any representation if they will
11 be able to save the county money, then what
12 is the purpose of this contract?

13 MS. LORRAINE: If they are
14 bringing in reimbursement for Medicaid, it
15 will bring in extra revenue as Medicaid
16 reimbursement for the county and the state.

17 LEGISLATOR SOLAGES: But are we
18 cutting back on claims, claims for eligible
19 children?

20 MS. LORRAINE: Absolutely no.

21 LEGISLATOR SOLAGES: Then why do
22 we need additional data services for
23 McGinnis if we are not cutting back here?

24 MS. LORRAINE: We do need to
25 determine eligibility for Medicaid. At the

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2 present time, we do not have that software
3 and that ability to do it in-house, but this
4 vendor has agreed to work with the
5 department.

6 LEGISLATOR SOLAGES: But can't
7 county employees use the existing program
8 and data?

9 MS. LORRAINE: We don't have
10 that. We use the McGinnis software for our
11 financials and we are hoping that the
12 contractor will interface with that.

13 LEGISLATOR SOLAGES: Will the
14 data that is used be used to deny claims?

15 MS. LORRAINE: No.

16 LEGISLATOR SOLAGES: My question
17 is, will that reduction -- it's not clear to
18 me because if we can't determine whether or
19 not they are eligible now --

20 MS. LORRAINE: We have a vendor
21 right now doing the same work and it went
22 out to a new RFP. This is presently being
23 done. This is not new. This is a new
24 vendor but not a new contract.

25 LEGISLATOR SOLAGES: Thank you.

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2 CHAIRWOMAN GONSALVES: Deputy
3 Presiding Officer Nicolello.

4 LEGISLATOR NICOLELLO: Just a
5 couple of questions. Eligibility for
6 Medicaid is determined by the federal
7 government, correct?

8 MS. LORRAINE: Correct.

9 LEGISLATOR NICOLELLO: Simply
10 applying the standards to federal
11 governments to establish the eligibility?

12 MS. LORRAINE: Correct. We don't
13 establish them.

14 LEGISLATOR NICOLELLO: I assume
15 one of the purposes of having eligibility is
16 that the people that are needy and who need
17 the services are getting them as opposed to
18 the universe?

19 MS. LORRAINE: Correct.

20 LEGISLATOR NICOLELLO: Thank you.

21 CHAIRWOMAN GONSALVES: Any public
22 comment regarding this item?

23 (No verbal response.)

24 There being none, all those in
25 favor of E-115 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item passes unanimously.

6 The next item is E-116, a
7 personal services agreement between the
8 County of Nassau acting on behalf of the
9 Department of Parks, Recreation and Museums
10 and Cornell Cooperative Extension, Nassau
11 County.

12 Motion, please.

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR NICOLELLO: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Dunne, seconded by Legislator
17 Nicolello. Ms. Krieb.

18 MS. KRIEB: Eileen Krieb,
19 Department of Parks. This is an agreement
20 between Nassau County and Cornell. It's
21 part of our operating budget. It was past
22 last fall as part of our operating budget.
23 It's to assist Cornell with the overhead
24 expenses and to enhance their educational
25 programming.

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2 CHAIRWOMAN GONSALVES: Any
3 questions or comments? Legislator Jacobs.

4 LEGISLATOR JACOBS: I know that
5 this presiding officer shares my feelings on
6 this and I'm happy to see this money as part
7 of the budget. I know it's much lower than
8 what they used to get, but at least they are
9 in it and therefore they meet the state
10 funding, also is based on what they get from
11 us.

12 MS. KRIEB: Yes, it allows them
13 to apply for other grants.

14 LEGISLATOR JACOBS: Right. And
15 they do a great job. I want to ask you, one
16 thing on my mind about this. It says the
17 compensation shall not exceed \$200,000. I
18 understand that. First quarter \$50,000.
19 Second quarter 50. Et cetera, et cetera
20 through the fourth.

21 Do we have specific dates that we
22 can add to this contract? I'm certainly
23 going to vote for it today, but I am
24 concerned. I know how they work right to
25 the line as the money comes in. I don't

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2 know what guarantee they've got on something
3 like this as to when they are going to see
4 that \$50,000 at each quarter.

5 MS. KRIEB: I would have to check
6 further. But the contract does not give
7 specific dates. It just gives the, the
8 first quarterly payment shall be paid, and
9 then the second. So it's upon submittal of
10 the claim voucher and the processing. And
11 we are already in June so we are halfway
12 through the year. So we are going to try to
13 submit two claim vouchers.

14 CHAIRWOMAN GONSALVES: I will
15 follow that up and I know, because we had a
16 meeting not too long ago, regarding payments
17 of this amount. It really was conceived to
18 be on a quarterly basis if Cornell could
19 meet its financial obligations as well. I
20 know that as a result of a meeting we had a
21 few weeks ago that this I think has
22 transpired and we are trying to get it
23 through to Cornell on a quarterly basis,
24 correct?

25 MS. KRIEB: Yes.

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2 CHAIRWOMAN GONSALVES: And I can
3 see the director sitting out there and he's
4 shaking his head yes. It's hard getting the
5 \$200,000 to begin with in the budget, but
6 it's also hard getting it in your hands.

7 So, we are doing everything we
8 can to expedite these payments. Thank you,
9 Eileen. Thank you, Legislator Jacobs.

10 Any public comment?

11 (No verbal response.)

12 There being none, all those in
13 favor of Item E-116 signify by saying aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 The item passes unanimously.

18 Next item is E-117, a personal
19 services agreement between the County of
20 Nassau acting on behalf of the Nassau County
21 Department of Parks, Recreation and Museums
22 and Friends of Sands Point Preserve.

23 Motion, please.

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR KOPEL: Second.

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2 CHAIRWOMAN GONSALVES: Moved by
3 Legislator Dunne, seconded by Legislator
4 Kopel. Who is here to speak on this item?

5 MS. KRIEB: Eileen Krieb,
6 Department of Parks. This is an amendment
7 to an existing contract to extend the term
8 for an additional ten years. It also keeps
9 the responsibility of all maintenance with
10 the friends of Sands Point. It's pretty
11 much it. Right now it goes to, the term to
12 2029 if we exercise the remainder of the 10
13 years and then we're extending it to 2039.

14 CHAIRWOMAN GONSALVES: The
15 agreement really was the stumbling block and
16 this agreement was the obligation of
17 maintenance, and I think we resolved that.
18 Did you resolve that?

19 MS. KRIEB: Yes, we resolved that
20 by removing all the liability of the
21 ongoing maintenance back to the Friends.

22 CHAIRWOMAN GONSALVES: Are there
23 any questions regarding this item?
24 Legislator Jacobs.

25 LEGISLATOR JACOBS: Thank you. I

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2 really mean it for this. We appreciate it
3 very much.

4 MS. KRIEB: They are doing a very
5 good job up there managing the property.
6 Thank you.

7 CHAIRWOMAN GONSALVES: Any public
8 comment regarding Item E-117?

9 (No verbal response.)

10 There being none, all those in
11 favor of E-117 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The item passes unanimously.

16 Item E-118, a personal service
17 agreement between the County of Nassau
18 acting on behalf of the Nassau County
19 Department of Public Works and Greeley &
20 Hansen, L.L.C.

21 Motion, please.

22 LEGISLATOR KOPEL: So moved.

23 LEGISLATOR DUNNE: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Kopel, seconded by Legislator

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2 Dunne. Who is here? Mr. Davenport.

3 MR. DAVENPORT: Joe Davenport,
4 Department of Public Works. The item before
5 you is a personal services agreement for
6 detailed design services for the repair and
7 storm mitigation of two waste water pumping
8 stations.

9 This RFP was advertised in
10 Newsday, posted on the county website. The
11 department received seven responses to the
12 RFP. Those responses were evaluated by the
13 members of the Department of Public Works
14 and we are recommending Greeley & Hansen
15 consulting for this assignment.

16 CHAIRWOMAN GONSALVES: Questions
17 or comments from the legislators? Minority
18 Leader Abrahams.

19 LEGISLATOR ABRAHAMS: How are you
20 again, Joe?

21 MR. DAVENPORT: Good. Thank you.

22 LEGISLATOR ABRAHAMS: This one
23 was batting 1,000 because it seems like it's
24 the lowest bidder as well as the highest
25 tech rating.

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2 MR. DAVENPORT: It was the
3 highest technical rating and the lowest
4 proposed.

5 LEGISLATOR ABRAHAMS: On top of
6 it, were you the actual drafter of this RFP?

7 MR. DAVENPORT: Yes, I was
8 responsible for preparing the RFP.

9 LEGISLATOR ABRAHAMS: Have you
10 had any contact with Greeley & Hansen during
11 the RFP process?

12 MR. DAVENPORT: Not during the
13 RFP process.

14 LEGISLATOR ABRAHAMS: Has the
15 administration had any contact with you
16 regarding this contract during that time?

17 MR. DAVENPORT: No, they did not.

18 LEGISLATOR ABRAHAMS: Thank you.

19 CHAIRWOMAN GONSALVES: Any other
20 comments from the legislators?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 There being none, all those in
25 favor of E-118 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item passes unanimously.

6 The next item is E-119, a
7 personal service agreement between the
8 County of Nassau acting on behalf of the
9 Nassau County Department of Parks Recreation
10 and Museum and Dover Gourmet Corp.

11 Motion, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR NICOLELLO: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Nicolello. Who is here to speak on this
17 one?

18 MS. KRIEB: Eileen Krieb,
19 Department of Parks. This is a special
20 service agreement with Dover Gourmet who is
21 the parks in-house exclusive cater. These
22 are for services that they provide to Nassau
23 County for our park events. This specific
24 one is used for the Long Island Fair where
25 we rent our tents and some of our other

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2 equipment through Dover Gourmet to enhance
3 our fair experience.

4 CHAIRWOMAN GONSALVES: Any
5 questions or comments from the legislators?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of Item E-119 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The item passes unanimously.

15 Ms. Krieb, you may stay there
16 because we have three items that pertain to
17 Dover. It's E-120, a personal services
18 agreement between the County of Nassau
19 acting on behalf of the Nassau County
20 Department of Parks, Recreation, and Museum
21 and Dover Gourmet Corp.;

22 E-121, a personal services
23 agreement between the County of Nassau
24 acting on behalf of the Nassau County
25 Department of Parks, Recreation, and Museum

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2 and Dover Gourmet Corp.;

3 Item E-122, a personal services
4 agreement between the County of Nassau
5 acting on behalf of the Nassau County
6 Department of Parks, Recreation, and Museum
7 and Dover Gourmet Corp.;

8 Motion, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR NICOLELLO: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Dunne, seconded by Legislator
13 Nicolello. Any comments you would like to
14 make?

15 MS. KRIEB: This is just similar
16 to the previous one. It's for different
17 events but it's with Dover Gourmet for their
18 services to help us with our summer camp.
19 The next one is one with the Empire Games
20 that already took place, and our lakeside
21 events.

22 CHAIRWOMAN GONSALVES: Any
23 questions regarding these agreements?

24 (No verbal response.)

25 There being none, all those in

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2 favor of Items E-120, 121 and E-122 signify
3 by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The items pass unanimously.

8 The next item is E-123, a
9 personal services agreement between the
10 County of Nassau acting on behalf of the
11 Nassau County Office of Management and
12 Budget and KPMG, L.L.P.

13 Motion, please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator
18 Kopel.

19 MR. NAUGHTON: Good afternoon,
20 Eric Naughton, Deputy County Executive of
21 Finance. Also with me are various members
22 of the evaluation committee, they can speak
23 if necessary.

24 So, on March 16th, the county
25 issued an RFP seeking proposals from

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2 qualified banks and financial advisors
3 authorized to do business in the State of
4 New York to provide investment banking
5 and/or financial advisory services in
6 connection with a potential public private
7 partnership transaction involving the county
8 sewer system.

9 The county had a six member
10 evaluation committee. On that committee was
11 the was the DPW commissioner, Sheila Shah;
12 our budget director, Roseann D'Alleva; the
13 debt manager, Steven Conklin; Special
14 counsel, Connell Denion; deputy budget
15 director, Ann Holker; and manager of fiscal
16 projects Jessica Lamandola.

17 We advertised in the bond buyer
18 and Newsday. The county received eight
19 proposals, selected, interviewed five
20 different companies. Had three finalists
21 and, from that group, the committee chose
22 KPMG.

23 CHAIRWOMAN GONSALVES: Any
24 questions? Who said yes? Legislator
25 Jacobs.

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2 LEGISLATOR JACOBS: Hi Eric.

3 KPMG is one of the big four. We all know
4 that. They're experts in accounting,
5 auditing and financial consulting. I don't
6 understand what this uses a judge to say
7 that KPMG would be an expert in a sewer
8 system privatization. What's their
9 expertise? It seems to me that it almost
10 should be an engineering firm that should be
11 the expert.

12 MR. NAUGHTON: KPMG Global has a
13 wide array of services that the provide.
14 They are actually the leader in P3
15 transactions having closed over 24 billion
16 dollars worth of transactions over the last
17 few years. A lot of their projects have
18 involved infrastructure and water projects.

19 The committee did their due
20 diligence in terms of calling references,
21 speaking with places that have had
22 successful P3 transactions that involved
23 KPMG and felt very comfortable in evaluating
24 the work that they did.

25 LEGISLATOR JACOBS: Let me just

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2 talk as a lay person, which I am. KPMG
3 would get point .45 percent of the total
4 Nassau receives in the deal.

5 So, for example, if Nassau
6 receives \$750 million through the
7 privatization, KPMG would get \$3,375,000.
8 So how in the world could we expect them to
9 be neutral in their advice they give on the
10 head person KPMG, if they know at the end of
11 the game they are make a fortune also?

12 MR. NAUGHTON: Well, clearly,
13 we're looking at this as kind of a two part
14 transaction. First there's a strategic
15 review of the system, doing your due
16 diligence, evaluating the condition of our
17 system, taking a look at how much investment
18 is needed. Looking at different options
19 that the county could have from a concession
20 agreement.

21 Traditionally, some people call
22 this a one shot. It's far from that. The
23 plan would be if we do move forward with
24 this transaction, there would be an up front
25 payment which would be used to retire debt.

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2 Or you can have a combination of a larger up
3 front payment and revenue sharing or you can
4 do various combinations all with the idea
5 that you will be providing the county with a
6 recurring benefit.

7 So, clearly, taking out debt
8 provides savings in debt service. So that
9 would be key to how you would use the
10 proceeds.

11 To your question, are they
12 motivated, obviously from having a
13 transaction, clearly they are, but the most
14 important thing is the administration, this
15 body itself will be evaluating whether or
16 not it makes sense for the county. This is
17 something that is beneficial to our
18 taxpayers.

19 LEGISLATOR JACOBS: Is it?
20 Because even you said that most likely over
21 a number of 40 years or so that the fact
22 that they would most likely have to be some
23 type of a sewer rate increase.

24 MR. NAUGHTON: Take that into
25 context. If the county keeps the system in

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2 its ownership, running it, we are going to
3 have some type of rate increase over the
4 next 40 years.

5 So I think, just to be honest, we
6 have to say to ourselves, whether it's the
7 county or the concessionaire, when you're
8 looking over 40 years, clearly the rates are
9 going to have to change. We can't keep
10 operating at today the same costs in 2055.

11 LEGISLATOR JACOBS: Let me ask
12 you this. Would the county lower the tax
13 levies as a result of this if this went
14 through?

15 MR. NAUGHTON: At this time what
16 we are really trying to focus on is what is
17 the possibility for the county. I can't say
18 what the proceeds are going to be from this.
19 That is why we want them to evaluate this
20 possibility for us. Then once we have all
21 the data, all the facts, collectively we
22 will say what's the best decision to move
23 forward? Maybe we decide we don't want to
24 do it after we get the facts.

25 We don't have the expertise

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2 in-house to make that decision right now.

3 So this is the main factor that we have

4 chosen this company.

5 LEGISLATOR JACOBS: My concern is
6 a very real one. I worked over the weekend
7 on it because KPMG, to me, I know they are
8 thought very highly of, but my concern
9 really dwells on the fact that I question
10 their expertise. I question the fact where
11 we are going to go with the levies we do
12 now. I question what the rates eventually
13 will be.

14 My concern is, believe me, I'm
15 not saying this to you because you and I
16 respect each other too much, but is this a
17 back door deal that's going to be a back
18 door tax increase in the form of levies for
19 the taxpayers?

20 MR. NAUGHTON: Legislator Jacobs,
21 I would say it's premature to say what the
22 transaction will yield and what the results
23 will be. The budget director, Roseann
24 D'Alleva, was just making a comment to me,
25 and I will let her make the statement

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2 herself on the record.

3 MS. D'ALLEVA: During the process
4 itself for the Indiana Finance Authority,
5 we also helped them come to the conclusion
6 that a concessionaire was not the best
7 outcome for that entity. So this is a
8 process that we should go through just to
9 actually evaluate all of our options.

10 LEGISLATOR JACOBS: But I feel
11 that our responsibility would be to express
12 certain concerns. This is just things that
13 glare out at me as far as KPMG versus
14 possible tax increase at the end, sooner
15 then we are thinking, and the big question
16 mark in the middle, the levy possible,
17 lowering or keeping the same levy for the
18 county.

19 So I just feel there is a lot of
20 dangling participles here. Essentially I
21 hope it's not a back door type of deal
22 that's going to end up with a back door tax
23 increase. That's my concern for the
24 taxpayers of the county. Is that right?
25 That's what I have to say. Thank you.

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2 CHAIRWOMAN GONSALVES: Legislator
3 Dunne.

4 LEGISLATOR DUNNE: Thank you,
5 Madam Chair. We went through great pains
6 and an awful lot of work and a lot of time
7 and a lot of money went into Cedar Creek to
8 put it in the shape that it's in now. And
9 it withstood Sandy because of all the time
10 and effort and money and study, and there
11 was an awful lot there.

12 Right now, being it stood up to
13 Sandy, we are getting the rest of our
14 systems up to snuff. Just like Cedar Creek.

15 Now, we just don't want anything
16 to fall apart. I want to make sure that
17 doesn't happen with the new company. What
18 we are doing here, quite simply is not
19 obligating us to anything, correct?

20 MR. NAUGHTON: That is correct.

21 LEGISLATOR DUNNE: All it's doing
22 is, if you are doing an evaluation to see if
23 the deal is in the best interest of the
24 taxpayers. That's what this deal is?

25 MR. NAUGHTON: Right. To see if

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2 there could be a deal that's in the best
3 interest. We don't have any deal in front
4 of us right now.

5 LEGISLATOR DUNNE: So you're here
6 to protect us?

7 MR. NAUGHTON: That is correct.

8 LEGISLATOR DUNNE: That's not
9 you, but this contract?

10 MR. NAUGHTON: Right. And the
11 way we're looking at a P3, the county still
12 has lots of capital and infrastructure and
13 environmental risk. So if we can transfer
14 that risk to a concessionaire, we think that
15 makes the most sense to us.

16 The sewer system is a money
17 losing operation for the county, so if you
18 can transfer an asset that actually is a
19 drain on your finances, and get a payment
20 for it, we think that's a home run.

21 LEGISLATOR DUNNE: Are we looking
22 to, like you said earlier, rates are going
23 to go up, they have to go up sooner or
24 later?

25 MR. NAUGHTON: That's right.

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2 LEGISLATOR DUNNE: And we are
3 hoping to come out of this with some way
4 that it won't go up as bad.

5 MR. NAUGHTON: Exactly. Clearly,
6 this year we raised taxes \$6 million in the
7 sewer system. Fortunately, there was the
8 property tax freeze credit so it had no
9 impact on our residents, but we felt that it
10 was necessary to add revenue to the sewer
11 system.

12 LEGISLATOR DUNNE: So we are
13 looking for a way to stop the bleeding in
14 other words?

15 MR. NAUGHTON: Exactly.

16 LEGISLATOR DUNNE: Thank you so
17 much and thank you Madam Chair.

18 CHAIRWOMAN GONSALVES: Legislator
19 Jacobs.

20 LEGISLATOR JACOBS: Let me ask
21 you a question. In something that's so
22 important like this, if this happens, this
23 is a tremendous thing to privatize the sewer
24 system, don't you think with something like
25 this that we should have backup included all

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2 the people that bid on this, and not just
3 the KPMG contract so that we could tell what
4 made this the one to go with?

5 Otherwise, as people sitting up
6 here, how do we know, how did they beat out
7 the others to get this?

8 MR. NAUGHTON: I think you have a
9 detailed letter from the RFP committee.
10 Three members of that committee are here
11 today if you have questions of them, if the
12 presiding officer wishes to go into
13 executive session to discuss those other
14 proposals, we are also willing to do that.

15 LEGISLATOR JACOBS: All right.
16 I'm going to turn it over.

17 CHAIRWOMAN GONSALVES: I'm going
18 to turn it over. I believe somebody else
19 had a question. Alternate Deputy Kopel.

20 LEGISLATOR KOPEL: Could you talk
21 about the, please, success fee and why that
22 is something -- if we are paying somebody a
23 retainer and presumably they are being fully
24 compensated for their time and effort, is
25 this a standard thing? Is it necessary?

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2 Can we not find someone to do the work just
3 on a time basis?

4 MR. NAUGHTON: Well, I think what
5 the committee felt, we got various
6 proposals; some included a monthly fee, some
7 did not. The first objective of the
8 committee was to say, can this firm deliver
9 the service that's being requested. The
10 answer to that first question was yes.

11 Then, when we look at the payment
12 structure, we felt that mutually it made
13 sense to have a client who is diligently
14 working on a process to give us information
15 and if that requires a \$45,000 a month
16 retainer it makes sense.

17 The way we structured the success
18 fee was, because this was not part of the
19 original proposal, we asked them to credit
20 us if we go forward with a monthly retainer
21 fee. So if this transaction does go to
22 completion, we would get credit up to
23 \$500,000 on the retainer fee.

24 So, there is that -- they're
25 recognizing that they want to get paid, but

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2 if there is a success, then they can credit
3 with us for that money that's being paid.

4 LEGISLATOR KOPEL: But the
5 success fee would be, of course,
6 considerably more than that \$500,000,
7 correct?

8 MR. NAUGHTON: That's correct.
9 As Legislator Jacobs said, if the
10 transaction was \$750 million, their success
11 fee would be over \$3 million.

12 We feel that that is very good
13 and, as I said, if we were behind in
14 executive session, I could outline for you
15 what the other proposals were. I can say
16 for the record that this was significantly
17 less than the other three finalists, they
18 were far and above less.

19 LEGISLATOR KOPEL: So, in other
20 words, all of them wanted both monthly
21 retainers and success fee combinations?

22 MR. NAUGHTON: It was split.

23 LEGISLATOR KOPEL: What do you
24 mean?

25 MR. NAUGHTON: One of the

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2 finalists requested no retainer fee, one
3 did.

4 LEGISLATOR KOPEL: So, in other
5 words, some were willing to do it only
6 strictly on spec?

7 MR. NAUGHTON: Correct.

8 LEGISLATOR KOPEL: And that would
9 have been a higher or lower --

10 MR. NAUGHTON: It would have been
11 a significantly higher success fee.

12 LEGISLATOR KOPEL: Which makes
13 sense. Were there any that were willing to
14 do it just on strictly the monthly retainer
15 basis?

16 MR. NAUGHTON: None of the three
17 finalists.

18 LEGISLATOR KOPEL: None. All
19 right. Thank you.

20 CHAIRWOMAN GONSALVES: Legislator
21 Solages.

22 MR. NAUGHTON: Good afternoon,
23 Mr. Solages.

24 LEGISLATOR SOLAGES: Thank you.
25 This proposed contract with KPMG lists as

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2 one of the contract services, it is
3 coordinating with the bond counsel with
4 regard to the debt defeasance; is that
5 correct?

6 MR. NAUGHTON: That's correct.

7 LEGISLATOR SOLAGES: So, how much
8 sewer debt is there?

9 MR. NAUGHTON: We have
10 approximately \$500 million of long term debt
11 in the sewer system.

12 LEGISLATOR SOLAGES: There is a
13 report by the comptroller which states in
14 December of 2014, that is about \$333
15 million; is that correct?

16 MR. NAUGHTON: I have not looked
17 at their report but the number is
18 approximately \$500 million of sewer related
19 debt.

20 LEGISLATOR SOLAGES: Actually
21 \$500 million. So, how will this contract
22 help to reduce that debt?

23 MR. NAUGHTON: Depending on the
24 amount of proceeds, you would take the
25 proceeds and you would defease the

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2 outstanding sewer debt. The sewer debt
3 would go away. If there are any remaining
4 proceeds, right now the county is looking at
5 the priority to defease other county debt.

6 LEGISLATOR SOLAGES: Will the
7 county lower the tax levies as a result of
8 this?

9 MR. NAUGHTON: Right now it would
10 be premature for me to make such a statement
11 on what our policy would be.

12 LEGISLATOR SOLAGES: Or would the
13 county relinquish control because of this?

14 MR. NAUGHTON: No. For this
15 transaction to work, there would have to be
16 an agreement on what the rate structure
17 would be, which would be approved by the
18 county executive and by the county
19 legislature.

20 LEGISLATOR SOLAGES: But don't
21 you think that leaving a private company to
22 determine these rates will be raised, with
23 no accountability to the taxpayer?

24 MR. NAUGHTON: I just stated that
25 the rates would be agreed to by the county

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2 legislature and the County Executive. It
3 would not be at the discretion of the
4 concessionaire.

5 LEGISLATOR SOLAGES: Okay. Have
6 we saved so far with the sewer system, have
7 we saved money with the deal that we have
8 with United Water?

9 MR. NAUGHTON: We are starting to
10 see the benefits of having United Water in
11 place. One of the clearly stated savings
12 was the \$10 million in labor savings. We
13 billed just recently \$1.1 million, so we're
14 on pace to probably save at least \$12
15 million this year.

16 LEGISLATOR SOLAGES: I'm sorry.
17 Where are you getting these figures from?
18 How have we reached these savings?

19 MR. NAUGHTON: We have billed for
20 the employees that they are leasing from the
21 county and the first bill was slightly about
22 \$1.1 million for one month. So, if you
23 extrapolate that savings, that's at least
24 \$12 million for the year.

25 LEGISLATOR SOLAGES: How many

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2 employees have separated from the county?

3 MR. NAUGHTON: Separation from
4 the county was minimal. I think roughly
5 three to six?

6 MS. D'ALLEVA: Yes. Three to six
7 separated from the county and we have 124
8 leased employees.

9 LEGISLATOR SOLAGES: What is the
10 status of the remaining employees?

11 MS. D'ALLEVA: Most of the
12 remaining employees that are in the sewer
13 and storm water fund are performing storm
14 water functions. So therefore they remain
15 in the storm water fund.

16 LEGISLATOR SOLAGES: Are they
17 being paid out of the DPW parks and other
18 county department budgets?

19 MS. D'ALLEVA: No, they are paid
20 out of sewer and storm water. They were
21 budgeted there.

22 LEGISLATOR SOLAGES: Nothing
23 further.

24 CHAIRWOMAN GONSALVES: Any other
25 legislator who wishes to speak? Minority

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2 Leader Abrahams.

3 LEGISLATOR ABRAHAMS: How are
4 you, Mr. Naughton?

5 MR. NAUGHTON: Very good, Mr.
6 Abrahams.

7 LEGISLATOR ABRAHAMS: I just have
8 some quick questions and then there's things
9 that I want to go over in regards to where
10 we were and where we've been.

11 When this deal was being
12 considered a couple of years ago, and I
13 believe the financier or the entity that we
14 were using similar to KPMG was Morgan
15 Stanley.

16 MR. NAUGHTON: That's correct.

17 LEGISLATOR ABRAHAMS: The overall
18 goal which we presented to KPMG which we
19 presented to Morgan Stanley back then, has
20 anything changed because this, back then,
21 and I'm reading from a Bloomberg news story
22 just basically discussed this as being one
23 of the biggest one shots in New York
24 municipality history. How is this any
25 different today than it was then? Or let me

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2 start by saying, are these fair
3 characterizations in your opinion from 2012
4 by Bloomberg news? I don't know if you've
5 had a chance to read it.

6 MR. NAUGHTON: No. I have not
7 and I don't know who made the statement from
8 them, if they were quoting someone who was
9 not informed of what the county was planning
10 to use the proceeds for.

11 LEGISLATOR ABRAHAMS: It was
12 actually George Marlin who made the
13 statement from NIFA.

14 MR. NAUGHTON: Legislator, I will
15 clearly state to you that the plan proceeds,
16 while we don't know how much we are going to
17 get, our first priority is retire the debt.

18 If you are retiring debt that
19 provides annual debt service savings, which
20 means that clearly you are getting a
21 recurring benefit from this transaction if
22 it occurs, it would not be a one shot. It
23 would be a savings over multiple years.

24 LEGISLATOR ABRAHAMS: At the cost
25 of basically privatizing the sewers?

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2 MR. NAUGHTON: I think what you
3 are doing is looking at this as a way to
4 transfer risk. The county has
5 infrastructure needs for the sewer and, if
6 we can get someone else to take on that risk
7 for us, it makes sense to us. This is why
8 we want to explore this opportunity.

9 I just want to point out, Mr.
10 Marlin never allowed the county an
11 opportunity to present what we thought were
12 the facts and actually discuss the merits of
13 such a potential deal, so he was speaking
14 without any knowledge.

15 LEGISLATOR ABRAHAMS: Obviously
16 our hesitancy is, one, that this is probably
17 one of the biggest county assets. Before
18 market value the value is somewhere around
19 \$900 million.

20 MR. NAUGHTON: I don't know where
21 you are getting that number from.

22 LEGISLATOR ABRAHAMS: Pete
23 attended a meeting this morning but
24 obviously we received it from the sewer and
25 storm water financial statements that

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2 indicate that.

3 But, my other concern is,
4 obviously the ability to control rates which
5 obviously we are in the infancy stages with
6 bringing on a financier, but I couldn't see
7 why someone would take on that
8 responsibility and not be able to control
9 rates.

10 Then that feeds into my second
11 question, where is this being done where
12 municipalities are selling off in one shot
13 one of their assets which is, in this case,
14 the sewers, but it could be public
15 utilities, could be anything. Can you give
16 us examples of where this is going on as
17 well?

18 MR. NAUGHTON: Sure. You asked
19 multiple questions so let me address them in
20 different order.

21 First, in terms of rate setting,
22 that is going to be set contractually. That
23 rate is going to be something that has to be
24 approved by this legislative body.

25 The concessionaire will not be

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2 setting that rate independently of the
3 county. So it's going to have to be -- we
4 are looking at this as a way to stabilize
5 rates, but it's something that this body
6 will make the ultimate decision on.

7 In terms of the value, I think
8 Steve Conklin wanted to say something.

9 MR. CONKLIN: Good afternoon.
10 Steve Conklin, debt manager. Just to
11 address your comment on the \$900 million
12 market value. I was at the same meeting
13 Peter was at. That's from the financial
14 statements of the Sewer Authority. It's not
15 market value that represents the original
16 cost of the assets and less depreciation.
17 So, just to clarify, it's not the market
18 value.

19 LEGISLATOR ABRAHAMS: So the
20 value could be more?

21 MR. NAUGHTON: Could be more,
22 could be less, but \$900 million is not a
23 market value.

24 LEGISLATOR ABRAHAMS: So
25 basically this legislature will have a

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2 contract that's presented to us where it
3 outlines the rates for the next -- how long?

4 MR. NAUGHTON: Depending on the
5 length of the concession deal, if it's 30
6 years, 40 years, there will have to be an
7 agreed upon structure.

8 LEGISLATOR ABRAHAMS: But this
9 legislature won't have a -- we won't
10 negotiate that contract. That will be done
11 by the administration. We just vote yes or
12 no on the actual agreement.

13 MR. NAUGHTON: That is correct.
14 But I envision us reaching out to the
15 leadership of this body for input and give
16 us some guidance as to what you would be
17 comfortable with.

18 Because the last thing we want to
19 do is go to the market, to an investment
20 community, and have that hanging over our
21 head as an unknown, because then it creates
22 more risk out there and people not take us
23 seriously. I would just ask Jessica
24 Lamandola, who is part of our office, has
25 done a lot of research on P3s, just to kind

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2 of outline some of the deals that are out
3 there.

4 LEGISLATOR ABRAHAMS: Okay. And
5 just to circle back to the comptroller, what
6 is the comptroller's position? I don't know
7 if there's anyone here from the
8 comptroller's officer today, but has the
9 comptroller's office had a chance to review
10 this particular contract and have they
11 voiced any concerns or any support for this
12 particular measure?

13 MR. NAUGHTON: We have sent it to
14 them. I would hate to want to speak for
15 him. He should speak for himself. He is
16 part of this process in terms of being able
17 to state whether or not there is funding
18 available to encumber the funds.

19 We are looking to encumber
20 \$270,000 which represents six months of
21 retainage fee. Clearly the contract
22 outlines that if we decide after one or two
23 months that we don't want to go forward, we
24 would just be out the one or two months.

25 But the comptroller's role is to

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2 obviously see if there is funding available.
3 I don't want to leave you with the
4 impression that the contract is only going
5 to be for 270. Clearly there is the
6 potential that it could be for more.

7 LEGISLATOR ABRAHAMS: And that's
8 our reading of the contract as well. But
9 has he mentioned anything in regards to some
10 of the discussion that took place in 2012
11 about -- I know NIFA resisted at that time,
12 I don't know if they're going to resist this
13 time, but NIFA had at that time resisted the
14 whole study, or the whole analysis that at
15 that time Morgan Stanley would have done
16 for, it sounds like to me one of the biggest
17 reasons is that they viewed this as a one
18 shot.

19 Has the comptroller given any
20 insight on how he feels in particular to
21 that? We could write a letter to him, but
22 do you --

23 MR. NAUGHTON: I do not know how
24 the comptroller feels about a P3
25 transaction, whether or not he thinks it's

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2 something that the county should do. Maybe
3 he has issues related to the contract
4 itself. I would not want to speak for him.
5 The best person to speak would be the
6 comptroller himself.

7 LEGISLATOR ABRAHAMS: But he
8 hasn't voiced anything to you, has he?

9 MR. NAUGHTON: He has expressed
10 to us he has questions about some of the
11 provisions in the contract. He's asked us
12 if we feel that it truly outlines our goals
13 and we have stated to him that it does.

14 LEGISLATOR ABRAHAMS: I don't
15 have anything further for Mr. Naughton, but
16 I do ask that, I know that we are going into
17 executive session to review the RFPs in
18 executive session, but I do have questions
19 and just a quick concern.

20 I do see some folks from OLBR in
21 the back, Madam Presiding Officer, would you
22 be okay if I called Mr. Chalmers or Helen?
23 I can't really see everybody back there. I
24 see a few of them poking their heads out.

25 CHAIRWOMAN GONSALVES: Eric, are

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2 you at liberty to disclose the other
3 applicants for this project?

4 MR. NAUGHTON: In executive
5 session we can do that.

6 CHAIRWOMAN GONSALVES: Are you
7 prepared to do that?

8 MR. NAUGHTON: Yes, we have
9 copies of the proposals to do it.

10 CHAIRWOMAN GONSALVES: Legislator
11 Dunne.

12 LEGISLATOR DUNNE: Just really
13 quickly because it sounds like we are
14 getting rid of it. We are not selling it?

15 MR. NAUGHTON: No, we are not.

16 LEGISLATOR DUNNE: It's a public
17 private partnership, that's what 3P stands
18 for?

19 MR. NAUGHTON: Right. The county
20 retains ownership.

21 LEGISLATOR DUNNE: So we are not
22 getting rid of it. We can inspect it at any
23 time we want, if put that in the contract,
24 where the legislator representing the area
25 can walk in, or anybody can --

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2 MR. NAUGHTON: It remains our
3 asset.

4 LEGISLATOR DUNNE: So we are not
5 getting rid of it. That's the fear.

6 CHAIRWOMAN GONSALVES: Hold on.
7 You know there's so much going on here, I
8 think we are getting misguided. I believe
9 that the minority leader has asked me if
10 it's all right for the Director of
11 Independent Budget Review to come up and
12 disclose if he's done any kind of analysis
13 on this.

14 Then, of course, if we need to go
15 into executive session, we will do that.
16 But I think that, even as much as table this
17 until we have the others go forward.

18 MR. CHALMERS: Maurice Chalmers,
19 budget review. We have actually looked at
20 the contract that we have before us. That's
21 the only item that we have. So we are not
22 aware of the details nor have we seen the
23 other contracts. This is the only one that
24 we have, the KPMG one.

25 CHAIRWOMAN GONSALVES: In other

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2 words, Maurice the other proposals you are
3 not privy to what was contained in the other
4 proposals?

5 MR. CHALMERS: Usually we don't,
6 we just get the item that goes before the
7 legislature which is this, KPMG one.

8 CHAIRWOMAN GONSALVES: Did you
9 review the item that's before us?

10 MR. CHALMERS: This particular
11 contract, yes, we did look at this
12 particular contract.

13 CHAIRWOMAN GONSALVES: What were
14 your conclusions?

15 MR. CHALMERS: It is basically
16 what Mr. Naughton presented. There is a
17 profit sharing plus a retainer fee. The
18 retainer of .45. It does look on the
19 surface, compared to the other contracts we
20 had with Morgan Stanley, slightly better,
21 more advantageous, but, again, comparing it
22 to the other ones that were used as a gage
23 to pick this one, we were not able to do
24 because we just did not have that
25 information.

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2 CHAIRWOMAN GONSALVES: I think if
3 we plan on going into executive session, we
4 should plan on doing it. Unless we are
5 getting all our answers here, to be
6 perfectly honest --

7 LEGISLATOR ABRAHAMS: I'm not
8 going to ask any questions of Mr. Chalmers,
9 but Mr. Chalmers, were you invited to come
10 into executive session, because I think you
11 should be there?

12 MR. CHALMERS: I think
13 Mr. Naughton had said if the legislature
14 wanted us to be a part of it he had no
15 issues. So I guess this body has to decide
16 if you want me in there.

17 CHAIRWOMAN GONSALVES: I'm having
18 a problem, and I'll tell you why I'm having
19 a problem. We have two branches of
20 government here. The executive branch
21 proposes and we dispose. If they decided
22 and this is -- I'm going to be very up front
23 with this, if they decided that KPMG was the
24 one they would go with and presented it, as
25 they do with other contracts, it's not just

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2 with this one, there are other contracts
3 that have more than one RFP presented to
4 them.

5 So I'm saying to you that it's
6 the prerogative of the County Executive to
7 bring forth the corporation or the company
8 that they would choose to do this particular
9 work after thorough review by the committee,
10 then I don't know what we are sitting here
11 questioning whether or not they should have
12 gone -- we should be privy to all the rest
13 of the proposals.

14 This is the job of the County
15 Executive. They have done their due
16 diligence and, I'm telling you right now, I
17 think we need to understand that when they
18 propose, we dispose. This is what we are
19 here for today.

20 If KPMG, L.L.P. was the one that
21 they felt was the most viable one, then,
22 guess what, I'm telling you right now that
23 that's what's before us and that's what we
24 should be voting on.

25 LEGISLATOR ABRAHAMS: If that was

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2 the case, Madam Presiding Officer, then we
3 would take Abtech and others at their word.
4 We should be asking those questions very
5 similar to what we do in the rules contract
6 process when we ask the questions about
7 being the lowest bidder.

8 CHAIRWOMAN GONSALVES: Listen to
9 me. I'm not saying that we would not go
10 into executive session, but I'm just
11 explaining to you that with every contract
12 that comes before us, there are others that
13 have made proposals, and it's up the County
14 Executive's administration to decide which
15 is more viable than another. This is what's
16 here before us.

17 But, to honor your request, and
18 I'm going to cut any more discussion on this
19 until we go into executive session, and
20 that's where we are going. Eric, since you
21 are amenable to going into executive
22 session, we shall do that, and,
23 Mr. Chalmers, you're welcome to come.

24 LEGISLATOR ABRAHAMS: Let us be
25 clear. We are not just talking about any

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2 run of the mill contract that we do with
3 DPW. We are talking about selling off the
4 county's highest priced asset.

5 CHAIRWOMAN GONSALVES: That's
6 where the misconception is. I believe this
7 selling off, it's not what I believe this to
8 be. Would you please clarify that, Eric?
9 We are not selling off this entity.

10 LEGISLATOR ABRAHAMS: Yes, we
11 are.

12 CHAIRWOMAN GONSALVES: Please
13 address that.

14 LEGISLATOR ABRAHAMS: This is a
15 precursor to sell the asset, yes.

16 MR. NAUGHTON: Clearly all we are
17 doing at this time is exploring
18 opportunities that exist for the county. At
19 some point later, if that decision is
20 presented to you that we want to look at a
21 concession agreement, at that point that
22 debate should be had. But, no, right now
23 that is premature. That is not what we are
24 doing.

25 LEGISLATOR SOLAGES: This is a

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2 lay up to your slam dunk of selling --

3 LEGISLATOR ABRAHAMS: Let's be
4 clear. We are selecting a company that has
5 an expertise at doing P3s. Which, I would
6 think, the next step would be, and I'm just
7 quoting the words I heard from Mr. Naughton
8 when I was in the back, the expectation
9 would be that you are going to sell the
10 asset.

11 LEGISLATOR ABRAHAMS: We would
12 not sell the asset. As I stated every time,
13 we are not selling the asset.

14 CHAIRWOMAN GONSALVES: That is
15 not our expectation. Is that yours, Mr.
16 Naughton?

17 MR. NAUGHTON: That is correct.
18 And, even if we move forward, we are not
19 selling the asset. It will not be sold.

20 CHAIRWOMAN GONSALVES: I think
21 that's where the misconception is.

22 LEGISLATOR JACOBS: I think
23 what's making the question so vital is what
24 makes in non-foitable? What makes these
25 particular other people, this other

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2 contract, things that people can't foil to
3 get a hold of? Why wasn't this readily
4 available to OLBR, or readily available to
5 the senior staff on both sides of the aisle
6 here? What makes it such a thing that no
7 one can see it? I don't understand. That's
8 what foils are all about.

9 MR. NAUGHTON: I think clearly
10 the presiding officer laid out the process
11 and we are adhering to that process. We are
12 actually making an exception in this case to
13 actually be willing to go into executive
14 session so this information can be shared.

15 The problem that we have is,
16 let's suppose this contract got voted down
17 for whatever reason, it makes it difficult
18 to go back to negotiate with a vendor if you
19 have laid out to the entire world what the
20 other people were proposing. So that is one
21 of the key reasons why you don't let
22 everyone know what the proposals are.

23 CHAIRWOMAN GONSALVES: In other
24 words, we would have to go back to the
25 drawing board if we voted this down?

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2 MR. NAUGHTON: I would just say
3 that it makes it very difficult if we
4 announce that so and so bid whatever, and
5 then I expect you to stay within your
6 contract if we had to renegotiate with you.

7 CHAIRWOMAN GONSALVES: And?

8 MR. NAUGHTON: So clearly that
9 does not make any sense.

10 LEGISLATOR SOLAGES: Where is the
11 transparency in is?

12 CHAIRWOMAN GONSALVES: It does
13 sound legitimate to me. I don't know about
14 you.

15 LEGISLATOR JACOBS: It sounds to
16 me like we are lacking transparency. I
17 understand Eric's interpretation of that,
18 but to the general public or to people like
19 myself who don't know about sewer deals or
20 this type of sale or whatever and want to
21 know everything, it doesn't seem to be
22 transparent that we can't get to the bottom
23 of it.

24 MR. NAUGHTON: Legislator Jacobs,
25 I would just make the statement that I think

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2 in this process we have been more
3 transparent than almost any other deal that
4 I'm aware of. We offered to the staffs of
5 both sides and to budget review, if you had
6 any questions in advance that you wanted to
7 ask, ask them, we did not receive any
8 questions from either side regarding this.
9 So, to say that you are lacking information,
10 I don't know what information is being
11 lacked, that we're lacking.

12 CHAIRWOMAN GONSALVES: Legislator
13 Kopel.

14 LEGISLATOR KOPEL: Mr. Naughton,
15 I just want to make sure we're all clear
16 about this. This contract is not about
17 selling or leasing or doing anything about
18 anything, it is about getting information as
19 to whether we should even consider doing
20 something like that.

21 This might make sense or might
22 not make sense in giving us the analysis
23 that we all need in order to approve it or
24 not approve it.

25 However, by going ahead with this

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2 contract, that in no way prevents us, or
3 prejudices us, any of us from saying that,
4 well, the analysis came back and it doesn't
5 make sense to us because whatever reason, it
6 looks like a tax increase, or it looks like
7 we're just borrowing extra money. One thing
8 doesn't have anything to do with the other.
9 Would that be fair?

10 MR. NAUGHTON: That's very clear.
11 Clearly my role as the DC for finance is to
12 explore options for the county's finances.
13 This does not in any way reflect any policy
14 decision.

15 LEGISLATOR KOPEL: It just gives
16 us the information with which we can make a
17 policy decision?

18 MR. NAUGHTON: That's correct.

19 LEGISLATOR KOPEL: And without
20 this information, we don't even know what
21 the possibilities are.

22 MR. NAUGHTON: That's correct.
23 This is not something that my staff does
24 every day. We will not have access to the
25 market to know what they are willing to look

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2 at to different investment opportunities.

3 LEGISLATOR KOPEL: Because I will
4 say, quite frankly, I would be very
5 interested in seeing how it could be that
6 this could come out better for the
7 taxpayers. I'm willing to look at it with
8 an open mind. It will be interesting to see
9 how this could be done.

10 MR. NAUGHTON: That's all we're
11 asking of everyone, to have an open mind in
12 this process. Let the process play out.

13 LEGISLATOR KOPEL: Thanks.

14 CHAIRWOMAN GONSALVES: Deputy
15 Presiding Officer Nicolello.

16 LEGISLATOR NICOLELLO: I just
17 wanted to address this transparency issue
18 that's been raised. Look, with Freedom of
19 Information, it's not an absolute process.
20 The legislature, in its wisdom, has created
21 exceptions.

22 Committee on open government have
23 recognized the exception, courts have
24 recognized the exception. Basically the
25 principle is, yes, open government is

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2 important, but there are some areas where
3 you cannot disclose fact and some areas
4 where if you disclose facts, it's going to
5 harm individuals or the interest of the
6 government.

7 I think basically you can't just
8 say transparency is an absolute right to the
9 extent it hurts taxpayers. What Eric is
10 trying to tell us, Mr. Naughton is trying to
11 tell us is that, look, if you disclose this
12 information to the public, it could come
13 back and damage the taxpayers if this deal
14 has to be renegotiated.

15 Again, you can raise transparency
16 all you want, but every rational mind
17 understands that there are limits in terms
18 of what is disclosed to the public and what
19 is not. Thank you.

20 MR. NAUGHTON: Very accurate.

21 LEGISLATOR SOLAGES: Presiding
22 Officer.

23 CHAIRWOMAN GONSALVES: I guess
24 Legislator Solages, go.

25 LEGISLATOR SOLAGES: In the age

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2 that we are living in after AbTech, I cannot
3 see why any legislator would make a defense
4 in having less transparency. We need more
5 transparency.

6 My question is, why didn't we see
7 the other bids in advance? If you are
8 talking about, hey, let's have an open mind,
9 let's have some more transparency here, why
10 weren't we able to see the other bids. And
11 frankly speaking, your explanation, is your
12 opinion. That's assuming that the public is
13 going to be disadvantaged in that way.

14 So, please, answer that question.
15 Why didn't we see those other bids in
16 advance?

17 MR. NAUGHTON: Legislator
18 Solages, I already answered that question.
19 If you have a legitimate concern, please
20 feel free to ask the question right now or
21 in executive session.

22 LEGISLATOR SOLAGES: I can't even
23 ask you that question because --

24 CHAIRWOMAN GONSALVES: I just
25 want a clarification. It's my turn. I want

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2 a clarification. Sorry, Eric. If you
3 disclose to us what the other bids were all
4 about, and this contract goes down, where
5 does that leave those other bidders?

6 MR. NAUGHTON: I think it puts
7 them at an advantage because if we do start
8 the process over, they will know what was
9 actually bid.

10 CHAIRWOMAN GONSALVES: And so?

11 MR. NAUGHTON: So, therefore, it
12 changes the playing field and it's no longer
13 a fair --

14 CHAIRWOMAN GONSALVES: That's
15 right. And, in all honesty, I'm going to
16 tell you right now, I would not even
17 entertain them if that was the case because
18 they would have an unfair playing field.
19 This is where my problem is.

20 LEGISLATOR SOLAGES: I did not
21 have a chance to fully examine the witness.
22 You asked the question. We can only have
23 questions if we have information. If I had
24 that information of the other bids, then I
25 would be able to ask pertinent questions.

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2 MR. NAUGHTON: For instance,
3 Legislator Solages, let's say you were
4 concerned with who is going to be working on
5 this team for us, you can ask us that
6 question and we would tell you each person
7 who is going to be involved in the process.
8 But you did not ask that question so I don't
9 know if that is a concern of your or not.

10 LEGISLATOR SOLAGES: That's not
11 really responsive to my question.

12 MR. NAUGHTON: But to ask that
13 type of question --

14 LEGISLATOR SOLAGES: But if we
15 had these other bids here, if we had that in
16 advance, my office would be able to ask the
17 pertinent questions here.

18 MR. NAUGHTON: To me, there is a
19 very simple process. There was a committee
20 of six highly intelligent individuals in the
21 county who took a look at the proposals.
22 They made a decision. I was not involved in
23 that decision. I did not attend any of the
24 meetings that they had to evaluate.

25 LEGISLATOR SOLAGES: So we don't

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2 even know which is the lowest bid?

3 MR. NAUGHTON: Excuse me?

4 LEGISLATOR SOLAGES: We don't

5 even know which is the lowest bid?

6 MR. NAUGHTON: Did you ask that

7 question? Are you asking that question

8 right now?

9 LEGISLATOR SOLAGES: Yes.

10 MR. NAUGHTON: I will ask one of

11 the members to make that statement for you.

12 MS. D'ALLEVA: KPMG was the

13 lowest bid.

14 LEGISLATOR SOLAGES: But I guess

15 I have to take your word for it because,

16 again, I don't have any other bid

17 information.

18 MR. NAUGHTON: Legislator

19 Solages, I think that we've been back and

20 forth and we've clearly stated that if you

21 want to go in the back in executive session,

22 we can show you in writing what the

23 proposals were.

24 LEGISLATOR JACOBS: All I'm

25 saying is, I can understand what

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2 Mr. Naughton is saying, but I want to say
3 one thing.

4 The bottom line is that even if
5 our legal staff on both sides of this aisle
6 had seen every contract, then they would be
7 able to ask questions that are more directed
8 towards why we have concerns or maybe why we
9 don't have concerns.

10 I don't know who is the
11 beneficiary of not coming through with it.
12 It doesn't have to be every individual
13 office. I'm not saying an individual
14 legislator's office. I'm saying, we all
15 have a legal team on both sides of the
16 aisle. If they had it before them and they
17 can render their questions to us based on
18 what they had seen, then I think every one
19 is the beneficiary. That's all I'm saying.

20 I'm not saying it has to be
21 floating around every legislative office for
22 possible public consumption. I'm saying, if
23 you see that as a very sensitive issue and
24 see that as a possibility of sensitivity as
25 we go forward, then maybe the best way to

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2 have handled that would have been to at
3 least let the legal teams see -- and the
4 OLBR see what the other ones were offering
5 versus this one, and maybe other questions
6 would have come up or not.

7 CHAIRWOMAN GONSALVES: I don't
8 believe we're entitled to it, Judy. That's
9 not the way the system works.

10 MR. NAUGHTON: Legislator
11 Gonsalves, the county attorney is here.

12 CHAIRWOMAN GONSALVES: I'm going
13 to ask County Attorney Foskey if he wants to
14 add to this conversation, or this
15 discussion.

16 COUNTY ATTORNEY FOSKEY: Good
17 afternoon. We take the position that you're
18 entitled to ask any questions you need to
19 ask with respect to the RFP. But you are
20 not entitled to look at the proposal until
21 there is an executed contract.

22 The contract is not executed
23 until it goes to NIFA and the County
24 Executive actually signs the contract, no
25 more than these documents are foitable. The

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2 documents do not become foilable until after
3 the contract has been properly executed.

4 And that's what we take the position.

5 Also, when we go into executive
6 session, only certain people can be in that
7 executive session. We also take that
8 position.

9 CHAIRWOMAN GONSALVES: And in
10 this case it would be the Rules people.

11 COUNTY ATTORNEY FOSKEY: Correct.
12 And only certain staff members, that would
13 be correct. Thank you.

14 LEGISLATOR NICOLELLO: Motion to
15 go into executive session.

16 LEGISLATOR ABRAHAMS: Second the
17 motion.

18 CHAIRWOMAN GONSALVES: All those
19 in favor of going into executive session
20 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 Let's go. And remember who goes
25 in there, Rules Committee and members of the

1 Rules Committee/6-29-15

2 legal staff.

3 (Whereupon, the Rules Committee
4 recessed into executive session at 3:02 and
5 reconvened at 3:22 p.m.)

6 CHAIRWOMAN GONSALVES: Before we
7 take a vote, Minority Leader Abrahams would
8 like to make a few comments. I didn't ask
9 for public comment, but I will after you
10 make your comments.

11 LEGISLATOR ABRAHAMS: Thank you,
12 Madam Presiding Officer. I just need
13 Mr. Naughton for one quick second.

14 Just real quick, Eric. Obviously
15 it has been discussed that if this contract
16 is approved, KPMG it will be providing
17 reports I guess on the status of this
18 contract. I know it's a monthly contract or
19 they are getting paid a certain amount
20 monthly.

21 I want to make sure that our
22 finance and our legal team is aware of any
23 reports that come out that discuss any
24 future findings in terms of what they have
25 found in the industry, to make sure that

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2 information is shared. Is that something
3 that's doable?

4 MR. NAUGHTON: When stuff is in
5 draft form, obviously we will not. But
6 when there is something conclusive, we do
7 want to include both sides, so the
8 information that can be shared we will share
9 with you.

10 LEGISLATOR ABRAHAMS: That's all
11 I had. Thank you, Eric. I appreciate it.

12 I just want to say also that we
13 still stand by our position that obviously
14 we realize that this is a contract with KPMG
15 who will be determining and doing an
16 analysis on whether or not this is a
17 feasible plan for the county to go forward.

18 I know it's not being called a
19 sale. You want to call it a lease.
20 Regardless, right now the county is the only
21 sole entity that has access to do what they
22 please to do with the sewer system, and
23 obviously we would be going into some type
24 of agreement providing the county did it at
25 a later date with another entity; whether

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2 that be United Water or Violia, or whoever
3 that may be, that is a very likeable
4 possibility.

5 That being said, we still are
6 very uncomfortable on spending hundreds of
7 thousands of dollars on an agreement that we
8 are not comfortable with the future result
9 or suggested future result that they may
10 present to this legislative body.

11 There is no stretch of the
12 imagination -- I couldn't say, by any
13 stretch of the imagination, that we would be
14 comfortable selling off our -- leasing off
15 our sewer system as a one shot to be able to
16 address some of the debt, but, at the same
17 time, go into a contract agreement on the
18 future rates of ratepayers throughout the
19 sewer system. To me that is unconscionable.
20 It doesn't make good sense to spend that
21 money now on a KPMG or a Morgan Stanley or a
22 Goldman Sachs if we are not comfortable with
23 that arrangement down the road.

24 Second, we just received a half a
25 foot of documents from the other entities

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2 that bidden on this particular contract, and
3 by no stretch of the imagination could we
4 ever go through or have I would say sensible
5 questions to be able to ask. I understand
6 that is not normally the process, but, you
7 know what, it's not normally the process
8 that you sell an asset or lease an asset
9 valued at \$900 million either. So, for
10 those reasons, we will be voting no.

11 CHAIRWOMAN GONSALVES: Any public
12 comment regarding this item?

13 (No verbal response.)

14 There being none, all those in
15 favor of E-123 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (Nay.)

19 The item passes four to three.

20 The next item is E-124, a
21 personal services agreement between the
22 County of Nassau acting on behalf of the
23 Nassau County Department of IT and Bicitis
24 Group, Inc.

25 Motion, please.

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2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Dunne, seconded by Legislator
6 Kopel.

7 MR. EISENSTEIN: Ed Eisenstein,
8 IT Commissioner. We call the company
9 Bicitis. This is an extension of the
10 supplemental staffing contract. We do plan
11 to have a new supplemental staffing contract
12 in play before this expires.

13 CHAIRWOMAN GONSALVES: Any
14 questions of Mr. Eisenstein?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 There being none, all those in
19 favor of E-124 signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The item passes unanimously.

24 The next item is E-125, a
25 personal service agreement between the

1 Rules Committee/6-29-15

2 County of Nassau acting on behalf of the
3 Department of Public Works and Kashin
4 Associates, P.C.

5 Motion, please.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR KOPEL: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Dunne, seconded by Legislator
10 Kopel. And we have?

11 MR. IADEVAIO: Rich Iadevaio from
12 the Department of Public Works.

13 CHAIRWOMAN GONSALVES: Tell us
14 about this contract.

15 MR. IADEVAIO: This is an
16 amendment for an existing personal services
17 agreement with Kashin Associates for an
18 on-call CM services which increase the
19 project cap.

20 CHAIRWOMAN GONSALVES: Are there
21 any questions from the legislators?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 There being none, all those in

1 Rules Committee/6-29-15
2 favor of E-125 signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The personal service agreement
7 passes unanimously.

8 And E-127, a personal services
9 agreement between the County of Nassau
10 acting on behalf of the Nassau County
11 District Attorney's Office and the Hispanic
12 Counseling Center, Inc.

13 Motion, please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR NICOLELLO: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator
18 Nicolello. Who is here to speak on this
19 item?

20 MR. MCMANUS: Bob McManus,
21 District Attorney's Office. This is an
22 agreement with the Hispanic Counseling
23 Center to address the problem of domestic
24 violence through an educational and
25 counseling program with an emphasis on

1 Rules Committee/6-29-15
2 providing services to children affected by
3 this issue. The Hispanic Counseling Center
4 has been in operation since 1977 and
5 provides services to approximately 1,300
6 individuals per month. There is no county
7 funding involved with this agreement.

8 CHAIRWOMAN GONSALVES: Thank you
9 very much, Mr. McManus. Are there any
10 questions from the legislators?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of E-127 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The item passes unanimously.

20 I'm going to ask for a motion to
21 untable Item E-64, a personal services
22 agreement between the County of Nassau
23 acting on behalf of the Department of Social
24 Services and the Safe Center LI, Inc.

25 Motion, please.

1 Rules Committee/6-29-15

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Dunne, seconded by Legislator
6 Kopel. And we have Mr. Broderick here.

7 MR. BRODERICK: Good afternoon.
8 Paul Broderick, Deputy Commissioner of the
9 Department of Social Services. The item
10 before you is a contract with the Safe
11 Center. This is a grant. It's called the
12 Safe Harbor Grant. They provide outreach
13 and engagement for runaway youth in Nassau
14 County.

15 CHAIRWOMAN GONSALVES: Any
16 questions of Mr. Broderick?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 There being none, all those in
21 favor of E-64 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item passes unanimously.

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2 Now the Rules Committee is now in
3 recess and I'm going to ask for the
4 legislator's indulgence. I'm going to take
5 the committees out of order because we have
6 a special presentation for the Veteran's
7 Committee. Mr. MacKenzie, you're going to
8 take the item first. You need all those who
9 are serving on the Veteran's Committee,
10 please join us here at the dais.

11 LEGISLATOR ABRAHAMS: Norma, I
12 don't mean to interrupt and I don't mean to
13 be disrespectful to the gentlemen that are
14 here, but I think it would be prudent, we
15 never took a moment of silence and I meant
16 to say this for the families. If this
17 legislative body can just rise and take a
18 moment of silence for the folks and the
19 families, the individuals that lost their
20 lives in the Charleston Church shooting.

21 (A moment of silence was
22 observed.)

23 CHAIRWOMAN GONSALVES: Tomorrow
24 night at seven o'clock outside on the steps
25 there will be a prayer service in memory of

1 Rules Committee/6-29-15

2 those who lost their lives in Charleston,
3 South Carolina.

4 (Whereupon, the Rules Committee
5 recessed at 3:31 p.m. and reconvened at 5:12
6 p.m.)

7 CHAIRWOMAN GONSALVES: The Rules
8 Committee is now back in session. With the
9 consent of the minority, we have most of the
10 agenda as part of the consent. I'm going to
11 call those items first and then, of course,
12 there are three or four items that will be
13 called separately.

14 Again, I will say this for Frank,
15 that testimony from the committees should be
16 incorporated into the Rules agenda. We
17 begin with Items 233, 234, 235, 236, 237,
18 238, 239, 240, 241, 242, 243, 245, 246, 247,
19 248, 249, 250, 251, 252, 253, 254, 255, 256,
20 257, 258, 261, and 262.

21 (Whereupon, the following are the
22 minutes of the Veterans and Senior Affairs
23 Committee pertaining to Clerk Item 247-15,
24 6-29-15.)

25 CHAIRMAN MACKENZIE: We have one

1 Rules Committee/6-29-15
2 item on the agenda today. It's Clerk Item
3 Number 247-15, an ordinance supplemental to
4 the annual appropriation ordinance in
5 connection with the Department of Human
6 Services.

7 May I have a motion.

8 LEGISLATOR BECKER: So moved.

9 LEGISLATOR WALKER: Second.

10 CHAIRMAN MACKENZIE: Moved by
11 Dennis Becker, seconded by Rose Walker. Is
12 there anyone from the administration to
13 discuss this item.

14 MR. HALL: Yes. Brian Hall from
15 Human Services. This is an appropriation
16 for mental health services for adults. It's
17 a veterans P to P counseling and it's 100
18 percent funded by the New York State
19 Department of Mental Health.

20 CHAIRMAN MACKENZIE: Are there
21 any questions? I have one question.

22 I see in the backup that it has
23 to be closed out on or before June 30th of
24 2016. Is there any consideration given to
25 making this funding permanent or can you

1 Rules Committee/6-29-15

2 address that issue?

3 MR. HALL: We submit plans every
4 year and the various subcontractors submit
5 plans to the state and they reward us our
6 funds accordingly. So, the people who are
7 involved with dealing with the state, they
8 would have a better answer. At this point,
9 we only have the funding through the period
10 covered.

11 CHAIRMAN MACKENZIE: Would it be
12 your intention to continue to request the
13 funding.

14 MR. HALL: Yes, it would.

15 CHAIRMAN MACKENZIE: Is there any
16 other public comment or questions.

17 (No verbal response.)

18 There being none, all those in
19 favor of the item please indicate aye.

20 (Aye.)

21 Any opposed.

22 (No verbal response.)

23 That passes unanimously.

24 Thank you, sir.

25 (Whereupon, the following are the

1 Rules Committee/6-29-15
2 minutes of the Public Safety Committee
3 pertaining to Clerk Items 236, 243, 251,
4 6-29-15.)

5 CHAIRMAN DUNNE: We are going to
6 do the two police items together, so Items
7 236-15, and 251-16. They're both ordinances
8 supplemental to the annual appropriations
9 ordinance in connection with the Police
10 Department. May I have a motion, please?

11 LEGISLATOR MUSCARELLA: So moved.

12 LEGISLATOR MACKENZIE: Second.

13 CHAIRMAN DUNNE: Motion by
14 Vincent Muscarella, seconded by Donald
15 MacKenzie. We have Sergeant Stephanoff.

16 SERGEANT STEPHANOFF: Good
17 afternoon. Sergeant Greg Stephanoff from
18 the Police. Item 236-15 is to supplement a
19 grant from New York State Division of
20 Criminal Justice for \$250,000. This is
21 going to be a heroin task force legislative
22 initiative and the money is going to be used
23 for intelligence analysts, Bureau of Special
24 Operations for rapid response teams.

25 Our community affairs are going

1 Rules Committee/6-29-15
2 to conduct educational awareness
3 presentations, and there's going to be money
4 for drug drop off for the public. And, in
5 addition, funding is provided for Narcan
6 kits if we need them for the department.

7 CHAIRMAN DUNNE: Any questions
8 from any of legislators on that first item
9 on 236-15?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 All those in favor indicate by
14 saying aye.

15 (Aye.)

16 Any against?

17 (No verbal response.)

18 Passes on to Finance.

19 The second part of that was Item
20 251.

21 SERGEANT STEPHANOFF: Item 251 is
22 the Gun Involved Violence Elimination Grant.
23 It's \$404,500. The money is going to be
24 used for intelligence gathering. This is
25 going to be a partnership with probation,

1 Rules Committee/6-29-15
2 the DA's Office, and the Sheriff. This is
3 for street level enforcement and to focus on
4 reducing gun violence in the targeted
5 communities. This is also, if you want,
6 this is a probation grant also. The total
7 of the grant is \$1,026,707 to be split with
8 different agencies. The Police Department
9 is receiving \$404,000.

10 CHAIRMAN DUNNE: Let the record
11 show that Legislator Bynoe has joined us.

12 Are there questions from any of
13 the legislators on this? Siela Bynoe.

14 LEGISLATOR BYNOE: Hi. Good
15 afternoon. Could you possibly give me an
16 example of what type of event would be held
17 using this type of funding?

18 SERGEANT STEPHANOFF: This
19 funding is going to be used for extra street
20 level enforcement to focus in areas. It's
21 going to be used in relationship with
22 intelligence, intelligence led policing, to
23 focus on areas to reduce gun violence. So
24 they're going to put out extra patrols.
25 That's the type of enforcement that we are

1 Rules Committee/6-29-15

2 going to do.

3 CHAIRMAN DUNNE: Any other
4 questions from any other legislators?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor indicate by saying aye.

10 (Aye.)

11 Any against?

12 (No verbal response.)

13 So passes and goes on to Finance.

14 The last item to come before this
15 legislature, Item 243-15, an ordinance
16 supplemental to the annual appropriations
17 ordinance in connection with the Probation
18 Department. Motion, please.

19 LEGISLATOR MACKENZIE: So moved.

20 LEGISLATOR MUSCARELLA: Second.

21 CHAIRMAN DUNNE: Motion by
22 MacKenzie, seconded by Muscarella.

23 MR. SHANK: Thank you. This is
24 also, as was just mentioned, part of the
25 overall give grant. This is for the

1 Rules Committee/6-29-15
2 Probation Department. It's \$204,342. This
3 will fund two probation field intelligence
4 officers at 50 percent, one probation
5 supervisor at 25 percent, partial fringe,
6 overtime for Hot Shot Program at \$50,000, an
7 investigative social media tool, and
8 training.

9 CHAIRMAN DUNNE: Any questions
10 from any of the legislators?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor indicate by saying aye.

16 (Aye.)

17 Any against?

18 (No verbal response.)

19 So ruled. It passes and moves on
20 to Finance. Thank you, Mr. Shank.

21 (Whereupon, the following are the
22 minutes of the Planning, Development and
23 Environment Committee pertaining to Clerk
24 Items 256, 257; 6-29-15.)

25 CHAIRWOMAN SCHAEFER: We have two

1 Rules Committee/6-29-15

2 items on the agenda for today. Clerk Item

3 256-15, which is an ordinance making certain

4 determinations pursuant to the State

5 Environmental Quality Review Act and

6 authorizing the County Executive of the

7 County of Nassau to accept on behalf of the

8 County of Nassau an offer of purchase from

9 Marie Ermst of certain premises located in

10 the Town of Oyster Bay, County of Nassau,

11 State of New York, said property known as

12 Section 49, Block 244, Lot 47, on the land

13 and tax map of the County of Nassau and

14 authorizing the County Executive to execute

15 a deed contract of sale and all pertinent

16 documents in connection therewith to

17 consummate the sale. May I have a motion?

18 LEGISLATOR RHOADS: So moved.

19 LEGISLATOR DUNNE: Second.

20 CHAIRWOMAN SCHAEFER: Motion by

21 Legislator Rhoads, seconded by Legislator

22 Dunne. Anyone here to speak on this item?

23 MR. RAGONETTI: Good afternoon.

24 My name is David Ragonetti. I'm a deputy

25 county attorney. This is a small parcel of

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2 land that we sent out bid solicitations for
3 and we received a bid from the abutting
4 landowner. Essentially this is in the
5 person's backyard. We've already sold the
6 abutting parcels of land next to this, to
7 the other homeowner, and this piece is I
8 think in the best interest of the county
9 getting it back on the tax rolls and
10 avoiding liability issues.

11 So we received a negative
12 declaration from the SEQRA assessment form
13 and planning and OSPAC have recommended this
14 as well.

15 CHAIRWOMAN SCHAEFER: Can you
16 tell me what the size of the parcel is?

17 MR. RAGONETTI: It's a small
18 parcel. I think it's a strip, 60 by 20
19 feet.

20 CHAIRWOMAN SCHAEFER: It was
21 being used by the adjacent land owner?

22 MR. RAGONETTI: I think it's just
23 vacant. It wasn't being used to any extent
24 that I can see.

25 CHAIRWOMAN SCHAEFER: Do any the

1 Rules Committee/6-29-15

2 legislators have any comments or questions?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 That being said, all those in
7 favor of this item please signify by saying
8 aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 This item passes unanimously.

13 Next we have Clerk Item 257-15, a
14 resolution releasing surety bonds and cash
15 escrow deposits for map of Parkview at
16 Salisbury located in Westbury.

17 Motion, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR RHOADS: Second.

20 CHAIRWOMAN SCHAEFER: Moved by
21 Legislator Dunne, seconded by Legislator
22 Rhoads.

23 MR. KATZ: Yes. My name is
24 Martin Katz. I'm with the Division of
25 Planning, Department of Public Works. This

1 Rules Committee/6-29-15

2 is the release of a surety bond and cash
3 escrow deposit for a subdivision plant known
4 as the map of Parkview at Salisbury and
5 Unincorporated Westbury.

6 The applicant developer is James
7 Calibrese, he's requesting a release of a
8 surety bond in the amount of \$391,650.98,
9 cash escrow deposit in the amount of
10 \$14,174.77, for a 30 unit residential town
11 house development located on the east side
12 of Carman Avenue, approximately 400 feet
13 north of Hearth Lane in Unincorporated
14 Westbury.

15 The planning commissioner
16 approved the preliminary map in October of
17 2011 and the final map in June of 2012.

18 On April 7, 2015, a final
19 inspection of all bonded public improvements
20 was made by the Nassau County Department of
21 Public Works inspector and these
22 improvements, public improvements include
23 sidewalks, driveways, handicapped aprons,
24 paving and drainage, curbs, storm drains and
25 dry wells, PVC fencing, signage, street

1 Rules Committee/6-29-15

2 lighting, and all items that constitute
3 public improvement that were bonded. The
4 chief building inspector for DPW certified
5 that all required public improvements are
6 constructed in such a manner that met or
7 exceeded applicable codes, specifications
8 and standards.

9 At its hearing on May 7, 2015,
10 the Planning Commission recommended release
11 of the surety bond in the amount previously
12 mentioned and nobody spoke against this at
13 the Nassau County Planning Commission Public
14 Hearing.

15 If the legislature has any
16 questions, I'm here to answer them.

17 CHAIRWOMAN SCHAEFER: I don't
18 have any. Does anybody have any questions?

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 All those in favor of this item
23 signify by saying aye.

24 (Aye.)

25 Any opposed?

1 Rules Committee/6-29-15

2 (No verbal response.)

3 This item passes unanimously.

4 (Whereupon, the following are the
5 minutes of the Health and Social Services
6 Committee pertaining to Clerk Items 234,
7 235, 255; 6-29-15.)

8 CHAIRWOMAN WALKER: There are
9 three items on the agenda today. I would
10 like to call the first two items together,
11 Clerk Item 234-15, and Clerk Item 235-15,
12 are both ordinances supplemental to the
13 annual appropriation ordinance in connection
14 with the Department of Social Services. May
15 I have a motion, please?

16 LEGISLATOR SCHAEFER: So moved.

17 LEGISLATOR MACKENZIE: Second.

18 CHAIRWOMAN WALKER: Moved by
19 Legislator Schaefer, seconded by Legislator
20 MacKenzie. We have Ms. MaryEllen Lorraine.

21 MS. LORRAINE: Good afternoon.
22 MaryEllen Lorraine, Department of Health.
23 Item 234-15 is a supplemental appropriation
24 in the amount of \$654,813. This is for our
25 Public Health Emergency Preparedness Grant.

1 Rules Committee/6-29-15

2 This is funded through the Centers for
3 Disease Control and Prevention and
4 administered by the State Health Department.
5 This provides funding for our emergency
6 preparedness activities and infrastructure
7 building with the department.

8 CHAIRWOMAN WALKER: Are there any
9 questions from the legislators?

10 (No verbal response.)

11 Any public comment?

12 (No verbal response.)

13 Hearing none, Clerk Item 235.

14 MS. LORRAINE: Item 235-15 is a
15 supplemental appropriation in the amount of
16 \$5,687. This is for the Early Intervention
17 administration portion of our grant. This
18 is funded through New York State Department
19 of Health and provides funding for
20 administrative costs.

21 CHAIRWOMAN WALKER: Are there any
22 questions from the legislators on Clerk Item
23 235?

24 (No verbal response.)

25 Any public comment?

1 Rules Committee/6-29-15

2 (No verbal response.)

3 Hearing none, all those in favor
4 of Items 234 and 235-15 signify by saying
5 aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 Unanimously they will go on to
10 Finance. We have one more.

11 Next is Clerk Item 255-15 which
12 is an ordinance supplemental to the annual
13 appropriation ordinance in connection with
14 the Department of Human Services.

15 May I have a motion, please?

16 LEGISLATOR BECKER: So moved.

17 LEGISLATOR SCHAEFER: Second.

18 CHAIRWOMAN WALKER: Moved by
19 Legislator Becker, seconded by Legislator
20 Schaefer.

21 MR. HALL: Hi. Brian Hall,
22 Department of Human Services. This is a
23 supplemental appropriation of \$115,000.
24 It's to be used to purchase Vivitrol for our
25 Methadone Maintenance Treatment Program.

1 Rules Committee/6-29-15

2 CHAIRWOMAN WALKER: Any questions
3 from the legislators?

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 Hearing none, all those in favor
8 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The motion carries and moves on
13 to Finance. Motion to adjourn.

14 LEGISLATOR BECKER: So moved.

15 LEGISLATOR SCHAEFER: Second.

16 CHAIRWOMAN WALKER: Moved by
17 Legislator Becker, seconded by Legislator
18 Schaefer. All those in favor of adjourning
19 signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 (Whereupon, the following are the
24 minutes of the Public Works and Parks
25 Committee pertaining to Clerk Items 246,

1 Rules Committee/6-29-15

2 254; 6-29-15.)

3 CHAIRMAN MUSCARELLA: We have two
4 items; Item 246 of 2015, an ordinance
5 supplemental to the annual appropriations
6 ordinance in connection with the Department
7 of Public Works. Motion, please.

8 LEGISLATOR BECKER: So moved.

9 LEGISLATOR MACKENZIE: Second.

10 CHAIRMAN MUSCARELLA: Motion by
11 Mr. Becker, seconded by Mr. MacKenzie. That
12 item is before us. Who do we have with us?

13 MR. BUTLER: Good afternoon.
14 John Butler, Department of Public Works.

15 CHAIRMAN MUSCARELLA: Welcome.
16 Just briefly explain this for us, please.

17 MR. BUTLER: This is an
18 appropriation of federal funds for federally
19 mandated planning activities. Nassau has
20 been awarded approximately \$300,000 for the
21 year 2015-2016. They are key planning
22 activities that include things like the
23 development of the TIP, which is the
24 Transportation Improvement Plan, as well as
25 an RTP update, which is the Regional

1 Rules Committee/6-29-15

2 Transportation Plan. We been awarded
3 similar planning funds going back to 1982.

4 CHAIRMAN MUSCARELLA: Any
5 questions?

6 (No verbal response.)

7 Any public comment?

8 (No verbal response.)

9 Hearing none, all those in favor
10 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 That item carries. Our last item
15 today is Item 254 of 2015, an ordinance
16 supplemental to the annual appropriations
17 ordinance in connection with the Department
18 of Public Works. Motion, please.

19 LEGISLATOR RHOADS: So moved.

20 LEGISLATOR BECKER: Second.

21 CHAIRMAN MUSCARELLA: Motion by
22 Mr. Rhoads, seconded by Mr. Becker. The
23 item is before us. Mr. Butler.

24 MR. BUTLER: This is an
25 appropriation of federal and state grant

1 Rules Committee/6-29-15

2 awards totaling approximately \$21.1 million.
3 These are for capital purchases related to
4 the NICE Bus operations. 90 percent of all
5 capital expenditures related to the bus are
6 federally and state reimbursed. That's what
7 these grants are for.

8 CHAIRMAN MUSCARELLA: This is
9 similar to past grants?

10 MR. BUTLER: Similar to past, and
11 we are awarded in similar fashion every year
12 based on projected expenditures of what's
13 needed for the bus operation such as number
14 of buses that are coming out of commission
15 and ones that we are bringing on board.

16 CHAIRMAN MUSCARELLA: So it's
17 capital expenditures?

18 MR. BUTLER: Exactly.

19 CHAIRMAN MUSCARELLA: Any
20 questions from the committee?

21 (No verbal response.)

22 Any public comment?

23 (No verbal response.)

24 Hearing none, all those in favor
25 signify by saying aye.

1 Rules Committee/6-29-15

2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item carries.

6 (Whereupon, the following are the
7 minutes of the Finance Committee pertaining
8 to Clerk Items Items 233, 234, 235, 236,
9 237, 238, 239, 240, 241, 242, 243, 245, 246,
10 247, 248, 249, 250, 251, 252, 253, 254, 255,
11 256, 258, 261, and 262; 6-29-15.)

12 CHAIRMAN NICOLELLO: Items 233,
13 234, 235, 236 of 2015 are resolutions to
14 authorize the transfer of appropriations
15 heretofore made within the budget for the
16 year 2015, as well as an ordinance
17 supplemental to the annual appropriations
18 ordinance in connection with the Department
19 of Health and the Police Department.

20 LEGISLATOR WALKER: So moved.

21 LEGISLATOR MACKENZIE: Second.

22 CHAIRMAN NICOLELLO: Moved by
23 Legislator Walker, seconded by Legislator
24 MacKenzie. Is there any discussion?

25 (No verbal response.)

1 Rules Committee/6-29-15

2 Is there any public comment?

3 (No verbal response.)

4 All those in favor signify by
5 saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 Those items carry unanimously.

10 We are going to skip the next item which is
11 an executive session item.

12 238, 239, 240, 241 and 242 of
13 2015 are resolutions to authorize the county
14 assessor and/or the county treasurer and/or
15 the receiver of taxes in the towns of
16 Hempstead and Oyster Bay to correct
17 erroneous assessments and partially exempt
18 from real property taxation certain real
19 property situated in various school
20 districts.

21 LEGISLATOR MUSCARELLA: So moved.

22 LEGISLATOR WALKER: Second.

23 CHAIRMAN NICOLELLO: Moved by
24 Legislator Muscarella, seconded by
25 Legislator Walker. Do we have any

1 Rules Committee/6-29-15
2 discussion?
3 (No verbal response.)
4 Is there any public comment?
5 (No verbal response.)
6 Those in favor signify by saying
7 aye.
8 (Aye.)
9 Those opposed?
10 (No verbal response.)
11 That carries unanimously. Item
12 243 of 2015 is an ordinance supplemental to
13 the annual appropriations ordinance in
14 connection with the Nassau County Department
15 of Probation.
16 LEGISLATOR MACKENZIE: So moved.
17 LEGISLATOR WALKER: Second.
18 CHAIRMAN NICOLELLO: Moved by
19 Legislator MacKenzie, seconded by Legislator
20 Walker. Any discussion?
21 (No verbal response.)
22 Is there any public comment?
23 (No verbal response.)
24 All those in favor signify by
25 saying aye.

1 Rules Committee/6-29-15

2 (Aye.)

3 Those opposed?

4 (No verbal response.)

5 That carries unanimously.

6 Item 245 of 2015 is a resolution
7 amending resolution 448 of 2001 as amended
8 entitled designating banks and trust
9 companies for the deposit of monies received
10 by the county treasurer.

11 LEGISLATOR MUSCARELLA: So moved.

12 LEGISLATOR WALKER: Second.

13 CHAIRMAN NICOLELLO: Moved by
14 Legislator Muscarella, seconded by
15 Legislator Walker. Do we have any
16 discussion?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 All in favor signify by saying
21 aye.

22 (Aye.)

23 Those opposed?

24 (No verbal response.)

25 That item carries unanimously.

1 Rules Committee/6-29-15
2 Items 246, 247, 248, 249, 250,
3 251, 252, 253, 254 and 255, these are
4 ordinances supplemental to the annual
5 appropriation ordinance in connection with
6 the Department of Public Works, Department
7 of Human Services, and the Police
8 Department, and they are also resolutions to
9 authorize the transfer of appropriations
10 heretofore made within the budget for year
11 2015.

12 LEGISLATOR WALKER: So moved.

13 LEGISLATOR MACKENZIE: Second.

14 CHAIRMAN NICOLELLO: Moved by
15 Legislator Walker, seconded by Legislator
16 MacKenzie. Do we have any discussion on
17 these items?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 All those in favor signify by
22 saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

1 Rules Committee/6-29-15

2 Those items carry unanimously.

3 Item 256 of 2015, an ordinance
4 making certain determinations pursuant to
5 the State Environmental Quality Review Act
6 and authorizing the County Executive to
7 accept on behalf of the County of Nassau an
8 offer of purchase from Marie Ermst of
9 certain premises located in the Town of
10 Oyster Bay.

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR MACKENZIE: Second.

13 CHAIRMAN NICOLELLO: Moved by
14 Legislator Walker, seconded by Legislator
15 MacKenzie. Do we have any discussion on
16 this item?

17 (No verbal response.)

18 It went through planning a few
19 moments ago, ask that the minutes be
20 incorporated by reference. Is there any
21 public comment?

22 (No verbal response.)

23 All those in favor signify by
24 saying aye.

25 (Aye.)

1 Rules Committee/6-29-15

2 Those opposed?

3 (No verbal response.)

4 That item carries unanimously.

5 Item 258 of 2015 is a resolution
6 authorizing the County of Nassau to file an
7 application for federal assistance with the
8 U.S. Department of Housing and Urban
9 Development.

10 LEGISLATOR MUSCARELLA: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRMAN NICOLELLO: Moved by
13 Legislator Muscarella, seconded by
14 Legislator Walker. Is there any discussion
15 on this? I guess we're really just teeing
16 this up for the Full Legislature in a couple
17 of weeks.

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 All those in favor signify by
22 saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

1 Rules Committee/6-29-15

2 That item carries unanimously.

3 Items 261 and 262 of 2015 are
4 resolutions authorizing the County Executive
5 to execute a grant agreement between the
6 County of Nassau acting on behalf of the
7 Department of Parks, Recreation and Museums
8 and the Farmingdale Public Library and the
9 Friends of Nassau County Bailey Arboretum.

10 LEGISLATOR WALKER: So moved.

11 LEGISLATOR MACKENZIE: Second.

12 CHAIRMAN NICOLELLO: Moved by
13 Legislator Walker, seconded by Legislator
14 MacKenzie. Do we have any discussion?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 All those in favor signify by
19 saying aye.

20 (Aye.)

21 Those opposed?

22 (No verbal response.)

23 Those items carry unanimously.

24 The last item is 237 of 2105,
25 it's a resolution authorizing the County

1 Rules Committee/6-29-15

2 Attorney to compromise and settle any claims
3 between Lighthouse Development Group, L.L.C.
4 and the County of Nassau pursuant to the
5 County Law, County Government Law and the
6 Nassau County Administrative Code.

7 LEGISLATOR MUSCARELLA: So moved.

8 LEGISLATOR WALKER: Second.

9 CHAIRMAN NICOLELLO: Moved by
10 Legislator Muscarella, seconded by
11 Legislator Walker. That item is before the
12 committee. This is going to require an
13 executive session. We are going to hold off
14 on executive session for a moment. There
15 was discussion. Doing a joint executive
16 session between the members of Rules and
17 Finance so we don't have to repeat the
18 process.

19 There is discussions about doing
20 a joint executive session for the Rules
21 Committee and the Finance Committee on this
22 item so we don't repeat the executive
23 session twice. So, why don't we wait a few
24 minutes so we can see if we can work that
25 out.

1 Rules Committee/6-29-15

2 Motion to go into executive
3 session.

4 LEGISLATOR MACKENZIE: So moved.

5 LEGISLATOR WALKER: Second.

6 CHAIRMAN NICOLELLO: By
7 Legislator MacKenzie, seconded by Legislator
8 Walker. All those in favor signify by
9 saying aye.

10 (Aye.)

11 Those opposed?

12 (No verbal response.)

13 We're in executive session.

14 (Whereupon, the Finance Committee
15 recessed into executive session at 4:29
16 p.m. and reconvened at 5:05 p.m.)

17 CHAIRMAN NICOLELLO: We're out of
18 executive session.

19 Is there any public comment?

20 (No verbal response.)

21 Legislator DeRiggi-Whitton.

22 LEGISLATOR DERIGGI-WHITTON: I
23 just want to put on the record that we
24 received a written document outlining the
25 settlement from the county's outside

1 Rules Committee/6-29-15

2 counsel. We've taken that into
3 consideration with our decision.

4 CHAIRMAN NICOLELLO: All those in
5 favor signify by saying aye.

6 (Aye.)

7 Those opposed?

8 (No verbal response.)

9 Item carries unanimously.

10 (Whereupon, the following are the
11 continuation of the minutes of the Rules
12 Committee, 6-29-15.)

13 CHAIRWOMAN GONSALVES: Motion,
14 please.

15 LEGISLATOR DUNNE: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Dunne, seconded by Legislator
19 Kopel. As I just mentioned, all of the
20 testimony from the previous committees was
21 incorporated into the Rules Committee.

22 And, without any further comment,
23 all those in favor of the items that were
24 just called, signify by saying aye.

25 (Aye.)

1 Rules Committee/6-29-15

2 Any opposed?

3 (No verbal response.)

4 The items pass unanimously.

5 Going back to Item 96, a

6 resolution to confirm the County Executive's

7 appointment of Rodney H. McCrae as executive

8 director to the Nassau County Commission on

9 Human Rights.

10 Motion, please.

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR NICOLELLO: Second.

13 CHAIRWOMAN GONSALVES: Moved by

14 Legislator Dunne, seconded by Legislator

15 Nicolello. Are there any comments or

16 questions regarding this appointment?

17 LEGISLATOR ABRAHAMS: If I may?

18 CHAIRWOMAN GONSALVES: Yes.

19 Minority Leader.

20 LEGISLATOR ABRAHAMS: We do have

21 some questions for Mr. McCrae if he's here

22 today. I guess he'll be at the Full

23 Legislature meeting?

24 CHAIRWOMAN GONSALVES: Full Leg.

25 LEGISLATOR ABRAHAMS: We reserve

1 Rules Committee/6-29-15

2 our questions but our vote today is not an
3 indication of how we will vote in two weeks.

4 CHAIRWOMAN GONSALVES: Any other
5 comments?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of Item 96 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (Nay.)

14 We have four to three. So it's
15 six to one. Sorry.

16 We are now going to Item 259, a
17 resolution authorizing the County Executive
18 to execute an intermunicipal agreement with
19 Manhasset Lakeville Fire District in
20 relation to a project to purchase bunker
21 gear and a thermal imaging camera.

22 Motion, please.

23 LEGISLATOR NICOLELLO: So moved.

24 LEGISLATOR DUNNE: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 Rules Committee/6-29-15

2 Legislator Nicoletto, seconded by Legislator
3 Dunne. Are there any questions, comments
4 regarding this item?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of Item 259 signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The item passes unanimously.

14 Item 260 is a resolution

15 authorizing the County Executive to execute
16 an intermunicipal agreement with the Village
17 of Mineola in relation to a project to
18 purchase an emergency generator.

19 Motion, please.

20 LEGISLATOR NICOLELLO: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Nicoletto, seconded by Legislator
24 Kopel. Any questions, comments regarding
25 that item?

1 Rules Committee/6-29-15

2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 There being none, all those in
6 favor of 260 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The item passes unanimously.

11 And the last item is Item 263, a
12 resolution authorizing the County Executive
13 to execute an intermunicipal agreement with
14 the Levittown Union Free School District in
15 relation to a project to construct walkways,
16 paths, and sidewalks.

17 Motion, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR NICOLELLO: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Dunne, seconded by Legislator
22 Nicolello. Are there any questions,
23 comments regarding this item?

24 (No verbal response.)

25 Is there any public comment?

1 Rules Committee/6-29-15

2 (No verbal response.)

3 There being none, all those in
4 favor signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The item passes unanimously.

9 I believe that ends the Rules
10 agenda. A motion to adjourn, please.

11 LEGISLATOR NICOLELLO: So moved.

12 LEGISLATOR DUNNE: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Nicolello, seconded by Legislator
15 Dunne. All those in favor signify by saying
16 aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The Rules Committee is now
21 adjourned. Safe home.

22 (Whereupon, the Rules Committee
23 adjourned at 5:17 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 13th day of July, 2015.

FRANK GRAY